

BEFORE THE OFFICE OF THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**FILING DETAILS****Case No:** 003/07-09-2009/ECCC/OCIJ**Party Filing:** International Co-Prosecutor**Filed to:** The Co-Investigating Judges**Original Language:** English**Date of Document:** 14 November 2017**CLASSIFICATION****Classification of the document
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INTERNATIONAL CO-PROSECUTOR'S RULE 66 FINAL SUBMISSION

<u>Filed by:</u> International Co-Prosecutor Nicholas KOUMJIAN <u>Copied to:</u> National Co-Prosecutor CHEA Leang	<u>Distributed to:</u> Co-Investigating Judges Judge YOU Bunleng Judge Michael BOHLANDER All Civil Party Lawyers in Case 003	Co-Lawyers for Charged person Meas Muth ANG Udom Michael KARNAVAS
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I. INTRODUCTION

1. **Meas Muth** was a powerful military and political leader during the Democratic Kampuchea regime. He was a member of the ruling party's Central Committee, Secretary of the Kampong Som Autonomous Sector, leading authority in Autonomous Sector 505, Commander of the largest division in the DK's army, head of the DK Navy, and member of the General Staff of the armed forces, eventually rising to be one of only two deputies of that influential body.
2. This Submission details how the evidence brought to light by the Case 003 investigation shows that **Meas Muth** used his power to advance the criminal campaigns of the Khmer Rouge regime. In areas under **Meas Muth's** control, massive numbers of people were enslaved at worksites, arrested and imprisoned without any legal process, tortured, killed, and/or forced to marry and to consummate the marriage.
3. This Submission explains how the evidence shows that **Meas Muth** is criminally responsible for the killings, enslavement, arbitrary imprisonment, torture, inhumane treatment, disappearances, forced marriages, and rapes carried out by forces he commanded in the areas he controlled, acting with his knowledge and under his orders.
4. The Submission argues that because of the powerful positions he held, the gravity of the crimes committed, and the direct and critical role **Meas Muth** played in those crimes, he was clearly a senior leader and one of those most responsible for crimes during the DK regime, and therefore **Meas Muth** falls within the personal jurisdiction of the ECCC.
5. The ICP asks that the Co-Investigating Judges indict **Meas Muth** and send him for trial for the most serious crimes proven in the investigation, where the evidence of his guilt is extensive, using criminal charges that best describe his conduct and the suffering of the victims. The ICP recommends **Meas Muth** be charged with the crime of genocide; the crimes against humanity of extermination, murder, torture, imprisonment, enslavement, other inhumane acts that include forced marriage and rape, and persecution on political grounds; as well as grave breaches of the 1949 Geneva Conventions.

II. PROCEDURAL HISTORY

OPENING OF AN INVESTIGATION

6. On 10 July 2006, the Co-Prosecutors commenced preliminary investigations into crimes within the jurisdiction of the ECCC, pursuant to Rule 50.¹ The Co-Prosecutors conducted witness interviews, field investigations, and collected documentary evidence to determine whether crimes had been committed and to identify suspects and potential witnesses.
7. On 20 November 2008, having found that there was reason to believe that crimes within the jurisdiction of the ECCC were committed by two suspects affiliated with the Revolutionary Army of Kampuchea, the then ICP filed the Second Introductory Submission requesting that a judicial investigation be conducted regarding the responsibility of Sou Met and **Meas Muth** for crimes under ECCC jurisdiction.² The Second Introductory Submission summarised the facts, the offences alleged, and the relevant provisions of the law that define and punish the alleged crimes. However, the NCP was of the view that consistent with the limited personal jurisdiction of the ECCC, no further suspects should be investigated beyond the five named in the First Introductory Submission.³
8. Given the disagreement between the ICP and NCP regarding whether to submit the Second Introductory Submission to the CIJs, the disagreement settlement procedure outlined in the Internal Rules was initiated.⁴ The disagreement was forwarded to the PTC, but as the PTC was unable to reach the supermajority necessary for a decision, the action of the single Co-Prosecutor was authorised to proceed in accordance with the Internal Rules.⁵
9. On 7 September 2009, the Acting ICP forwarded the Second Introductory Submission and the Case File to the CIJs to open a judicial investigation.⁶ The Case File included both inculpatory and exculpatory evidence and was comprised of more than 500 documents, including witness statements, DK reports, and telegrams. The CIJs then opened Case 003 and began investigative action.
10. The ICP subsequently clarified and/or expanded the scope of the investigation on two occasions. First he clarified that the CIJs were not seised of all RAK Division security centres or other crime sites, nor had it been intended to seise them to investigate Au

Kanseng Security Centre.⁷ On the second occasion, the ICP filed a supplementary submission clarifying the scope of the investigation regarding purges in Sector 505 (Kratie) and forced labour and executions in Ream Commune (Prey Nob District), and seising the CIJs to investigate forced marriages and the forced consummation of those marriages (rape) as Other Inhumane Acts.⁸

CHANGES OF INVESTIGATING JUDGES DURING THE INVESTIGATION

11. The Case 003 investigation commenced under NCIJ You Bunleng and ICIJ Marcel Lemonde.⁹ On 1 December 2010, Judge Lemonde was succeeded by Judge Siegfried Blunk, who subsequently resigned on 9 October 2011.¹⁰ Laurent Kasper-Ansermet was sworn in as the Reserve ICIJ before an ECCC plenary assembly on 21 February 2011¹¹ and tendered his resignation in March 2012 with effect from 4 May 2012.¹² On 26 October 2012, Judge Mark Harmon was sworn in as the ICIJ.¹³ In July 2015, Judge Harmon announced his resignation and was subsequently succeeded by the current ICIJ, Michael Bohlander.¹⁴

2011 NOTICE THAT THE JUDICIAL INVESTIGATION HAD CONCLUDED

12. On 29 April 2011, the CIJs notified the Co-Prosecutors that they considered the Case 003 judicial investigation concluded (“April 2011 Notice”).¹⁵ The ICP then issued a public statement announcing, *inter alia*, that he was of the view that the crimes alleged in the Introductory Submission had not yet been fully investigated and he intended to request further investigative actions.¹⁶ The ICP then submitted his requests and the CIJs rejected them twice, first on procedural grounds and later (after the ICP had remedied the procedural defect and re-filed the requests) for lack of personal jurisdiction.¹⁷ The ICP appealed both decisions.¹⁸ On 2 and 15 November 2011, the PTC declared that it had not assembled a vote of at least four judges to decide the appeals.¹⁹
13. Before the PTC considerations were rendered, ICIJ Blunk resigned.²⁰ On 2 December 2011, Reserve ICIJ Kasper-Ansermet reconsidered the admissibility of the ICP’s three investigative requests and stated that the judicial investigation appeared to be “defective and prejudicial to all parties; [and] deprived suspects, victims and the Prosecution of their rights”.²¹ He declared the ICP’s requests for investigative action admissible and ordered resumption of the judicial investigation.²²

DISAGREEMENTS BETWEEN THE CO-INVESTIGATING JUDGES

14. The CIJs had several disagreements during the Case 003 investigation. First, they disagreed about the Rogatory Letter in which the ICIJ outlined the parameters of an investigative mission and delegated it to OCIJ investigators.²³ Second, they disagreed on the ICIJ's Request for Clarification, which asked the ICP to clarify the scope of the investigation in regard to RAK Division security centres and Au Kanseng.²⁴
15. A third disagreement between the CIJs was registered on 7 February 2013, this time concerning the status of the investigation and the validity of certain documents placed on the Case File after Judge Blunk's resignation.²⁵ Also on that day, NCIJ You Bunleng issued a forwarding order to the Co-Prosecutors that referenced the April 2011 Notice of the conclusion of the judicial investigation and stated that in his view, the Case File included only documents that were placed on the file before Judge Blunk resigned.²⁶ ICIJ Harmon, on the other hand, stated that he had assessed the state of the investigation and had concluded that further investigation was necessary.²⁷ Judge Harmon then placed transcripts onto the Case File and authorised further investigative actions.²⁸ The next day, the ICP returned the Case File to the CIJs, stating that the investigation remained "manifestly incomplete", that Judge Harmon's actions rendered the April 2011 Notice without legal effect, that the investigation was deemed resumed by the CIJs, and that therefore the ICP could not lawfully take custody of the Case File or issue any Final Submission.²⁹
16. Later that month, the CIJs issued a public statement about the status of the Case File, noting their different views.³⁰ Faced again with this difference of opinion and in response to the NCIJ's statement that he would "also consider other submissions by the Co-Prosecutors that might be made within three months starting from 7 February 2013", the Co-Prosecutors requested clarification regarding the status of the Case File and whether to proceed in preparing a Final Submission.³¹ No clarification was issued and investigative acts continued.
17. On 16 July 2014, the parties were notified of a decision that for the first time referenced a fourth disagreement between the CIJs that had been registered on 22 February 2013.³² Two days later, **Meas Muth's** Co-Lawyers sent a letter to the CIJs requesting general information on the nature of both the 7 and 22 February 2013 disagreements and whether

such disagreements were currently before the PTC.³³ Judge Harmon responded that disagreements are *ex parte* matters and he was not in a position to reveal their content or general nature, but he did clarify that the disagreements were not brought before the PTC for resolution.³⁴

18. A fifth disagreement between the CIJs was registered on 17 July 2014, which seemed to relate to the issuance of a summons for **Meas Muth** to initially appear before the ECCC to be charged.³⁵ Finally, a sixth disagreement was registered on 16 January 2017,³⁶ but the Parties have no information regarding its nature.

LEGAL REPRESENTATION OF MEAS MUTH AND ACCESS TO THE CASE FILE

19. The Defence Support Section (“DSS”) requested access to Case Files 003 and 004 in letters to the OCIJ on 29 July and 20 September 2010.³⁷ The CIJs responded that access could not be granted because Defence rights are only fully exercisable once a person is charged and becomes a party to the proceedings.³⁸ On 11 February 2011, the DSS notified the CIJs that Kong Sam Onn had been provisionally assigned to represent the interests of the unnamed suspects in Cases 003 and 004.³⁹ Three days after the notification, Kong Sam Onn requested access to the Case Files.⁴⁰ The CIJs rejected the request, finding that the suspects were not yet entitled to defence counsel or to access the Case Files.⁴¹
20. On 24 February 2012, the Reserve CIJ notified Sou Met and **Meas Muth** that they were being investigated for crimes committed within the jurisdiction of the ECCC and, as suspects, had the right, *inter alia*, to legal representation of their choice.⁴²
21. On 14 December 2012, a press statement informed the public that the DSS had assigned Ang Udom and Michael G. Karnavas (the “Co-Lawyers”) as defence counsel for a suspect in Case 003.⁴³ Four days later, the head of the DSS notified the CIJs that six months earlier, **Meas Muth** had selected the Co-Lawyers as his legal representatives and had waived any conflict of interest that might arise from representing him while also representing Ieng Sary in Case 002.⁴⁴
22. On 24 December 2012, the ICP requested that the CIJs reject the appointment of the Co-Lawyers because representing both Ieng Sary and **Meas Muth** created a conflict of

interest.⁴⁵ On 30 June 2014, the PTC recognised Ang Udom and Michael Karnavas as **Meas Muth**'s Co-Lawyers.⁴⁶

CHARGING MEAS MUTH

23. On 14 June 2013, Sou Met died, and the CIJs subsequently dismissed all criminal allegations against him that were before the ECCC,⁴⁷ leaving **Meas Muth** as the only suspect in Case 003.
24. On 26 November 2014, ICIJ Harmon summoned **Meas Muth** for an initial appearance on 8 December 2014 at the ECCC.⁴⁸ **Meas Muth** informed the ICIJ in a letter dated 2 December 2014 that he did not recognise the validity of a summons issued by only one CIJ.⁴⁹ The following day, the PTC issued a decision recognising the validity of a summons issued by a single CIJ,⁵⁰ but **Meas Muth** failed to appear at the hearing and Judge Harmon issued an arrest warrant against him.⁵¹
25. **Meas Muth**'s Co-Lawyers filed an application requesting that the CIJs seise the PTC with a request to annul the summons,⁵² which was denied by the ICIJ for lack of standing.⁵³ The Co-Lawyers appealed the ICIJ's decision,⁵⁴ but the PTC was divided on whether **Meas Muth** had standing to appeal because he was still a suspect and not a charged person, and no decision was reached.⁵⁵ In a letter dated 30 January 2015, Judge Harmon stated that he would charge **Meas Muth** *in absentia* if he failed to appear before 18 February 2015 or if the arrest warrant had not been executed by that time.⁵⁶
26. Neither event occurred and, on 3 March 2015, Judge Harmon charged **Meas Muth** *in absentia* with violations of Articles 500, 501, and 506 of the 1956 Penal Code (torture and homicide); grave breaches of the Geneva Conventions; and the crimes against humanity of murder, extermination, enslavement, imprisonment, persecution, and other inhumane acts.⁵⁷ Upon issuance of the decision, **Meas Muth**'s status changed from "suspect" to "charged person" and he became entitled to access the Case File and fully take part in the judicial investigation.⁵⁸ The Co-Lawyers appealed the decision to charge **Meas Muth** *in absentia*⁵⁹ and also challenged the Court's jurisdiction over the charges laid against him.⁶⁰
27. A week later, the Co-Lawyers requested that the ICIJ rescind the arrest warrant,⁶¹ but the ICIJ rendered it moot by superseding the old warrant with a new one that ordered the

Judicial Police to bring **Meas Muth** before the ICIJ for an adversarial hearing regarding provisional detention.⁶² The Co-Lawyers then filed a request to the PTC to stay the execution of the new warrant pending a decision of the appeal against the ICIJ's decision to charge **Meas Muth** *in absentia*.⁶³ The PTC failed to reach a supermajority so the order to arrest **Meas Muth** remained in place.⁶⁴

28. On 14 December 2015, **Meas Muth** appeared before ICIJ Bohlander and was advised of his rights.⁶⁵ Judge Bohlander then charged **Meas Muth** with genocide, violations of Articles 501 and 506 of the 1956 Penal Code, grave breaches of the Geneva Conventions, and the crimes against humanity of extermination, murder, imprisonment, torture, enslavement, political and racial persecution, and other inhumane acts (inhumane treatment, attacks against human dignity due to conditions of detention, enforced disappearances, forced labour, forced marriage, and rape within the context of forced marriage).⁶⁶ Judge Bohlander announced that the charges he laid that day were the definitive version of the charges against **Meas Muth** and the charges previously laid *in absentia* were rendered moot.⁶⁷ He also advised **Meas Muth** that he may before the end of the investigation decide to charge **Meas Muth** with additional crimes based on allegations in the Second Introductory Submission, Supplementary Submission, or any future submissions from the OCP.⁶⁸ The arrest warrant of 4 June 2015 was also rescinded.⁶⁹
29. On 6 January 2016, the Co-Lawyers appealed the charges laid by Judge Bohlander,⁷⁰ but the PTC failed to reach a supermajority vote regarding admissibility⁷¹ and the charges stood.

INVESTIGATIVE INVOLVEMENT

30. The Co-Lawyers for **Meas Muth** have been actively involved in the judicial investigation of Case 003. For example, they filed 20 requests for the CIJs to perform specific investigative actions,⁷² three requests to receive the work product of OCIJ investigators,⁷³ four requests to clarify or vary investigative techniques being used by investigators,⁷⁴ 13 applications to seise the PTC with requests to annul the investigation in part,⁷⁵ and numerous requests to correct or clarify material already on the Case File.⁷⁶

31. The other Parties to Case 003 also participated in the judicial investigation. The Co-Lawyers for the Civil Parties filed one request for investigative action⁷⁷ while the Co-Prosecutors filed six.⁷⁸

CALL FOR SUBMISSIONS

32. On 19 April 2016, ICIJ Bohlander invited the Parties in Cases 003 and 004 and any qualified persons or organisations to make submissions on the legal question of whether, under CIL applicable between 1975 and 1979, an attack by a state or organisation against members of its own armed forces could constitute an attack directed against a civilian population for the purpose of Article 5 of the ECCC Law.⁷⁹ On 19 May 2016, the ICP,⁸⁰ Ao An,⁸¹ Yim Tith,⁸² and **Meas Muth**⁸³ all filed submissions in response to the call for submissions, as did 11 *amici curiae*.⁸⁴ Yim Tith⁸⁵ and **Meas Muth**⁸⁶ filed Responses to the *Amici* Briefs.
33. On 7 February 2017, the ICIJ found that “under the law of crimes against humanity as it existed between 1975 and 1979, an attack by a state or organisation against its own armed forces amounted to an attack against a civilian population for the purpose of Article 5 of the ECCC Law”, provided the attacked armed forces were not allied with or otherwise providing militarily relevant support to an opposing side to an armed conflict.⁸⁷ **Meas Muth** appealed the ICIJ’s decision.⁸⁸ While the PTC unanimously found the appeal inadmissible because the Notice of Appeal had been filed after the prescribed deadline, the Chamber noted that timely appeals in the other cases were also found inadmissible because they did not constitute an appealable decision within the meaning of Rule 74(3), the relief sought was declaratory, and the impact of any ruling would be speculative.⁸⁹

REDUCTION OF CHARGES

34. On 16 March 2016, ICIJ Bohlander informed the Parties of his intention not to further investigate seven facts alleged in the Second Introductory Submission and invited the Parties to comment.⁹⁰ The seven facts were: all allegations relating to the S-22 security centre (Fact 1); all allegations relating to the Kampong Chhnang Airport Construction Site (Fact 2); allegations relating to crimes committed in Vietnam, with the exception of the islands claimed by DK and the eastern border region (Fact 3); all allegations relating to Prison 810 (Fact 4); allegations of crimes committed at other unidentified security centres

operated by the RAK (Fact 5); all allegations relating to the Stung Tauch execution site (Fact 6); and all allegations relating to RAK involvement in the “purges” of the Central Zone, the New North Zone and the East Zone, excluding the alleged “purges” of members of the RAK units located in those areas (Fact 7).⁹¹

35. The Co-Lawyers immediately responded with their understanding of Rules 66*bis* and 67.⁹² On 29 April 2016, the ICP responded in support of the ICIJ’s intention not to further investigate Facts 1-7, but suggested that it was premature to determine the final application of Rule 66*bis* or 67 at this stage of the investigation.⁹³ The ICP also submitted that he would not object to the ICIJ also discontinuing investigations into the “purges” of Division 502 and 310 (“Fact 8”).⁹⁴ On 24 August 2016, the ICIJ informed the Parties that he would not further investigate Facts 1-7 but would continue to investigate Fact 8, and that the decision on dismissal pursuant to Rule 66*bis* or 67 would be taken at the conclusion of the investigation.⁹⁵
36. The ICIJ further notified the Parties on 22 November 2016 of his intention to exclude Facts 1, 2, 6, and 7 from the investigation pursuant to Rule 66*bis* at the conclusion of the investigation, opining that the remaining facts would be representative of the nature and scale of crimes and the categories of victims set forth in the Second Introductory Submission and Supplementary Submission.⁹⁶ The ICP did not object.⁹⁷ On 10 January 2017, Judge Bohlander notified the Parties that the judicial investigation had concluded and it was therefore appropriate to exclude Facts 1, 2, 6, and 7 from the investigation pursuant to Rule 66*bis*.⁹⁸

CLOSURE OF THE INVESTIGATION

37. On 10 January 2017, ICIJ Bohlander notified the Parties that he considered the judicial investigation in Case 003 to be concluded and granted them 30 days to file any further requests for investigative action.⁹⁹ The Parties filed several investigative requests, including requests to conduct an additional site visit and witness interviews.¹⁰⁰ After responding to these requests, on 24 May 2017, Judge Bohlander issued his second and final notification concluding the investigation against **Meas Muth** and informing the Parties that no further requests for investigative action may be filed.¹⁰¹

38. Judge Bohlander issued a Forwarding Order in English on 25 July 2017, inviting the Co-Prosecutors to file their final submissions within three months.¹⁰² On 8 August 2017, the ICP requested information on the expected date of notification of the Khmer version of the Forwarding Order pursuant to Rule 66(5), and also requested a modified schedule for filing his Final Submission.¹⁰³ The following day, the Co-Lawyers requested that the same flexibility be afforded to them if allowed for the ICP.¹⁰⁴ The Khmer version of the Forwarding Order was notified on 14 August 2017. On 4 September 2017, the ICIJ instructed the ICP to file his Final Submission in English alone within three months of the date the Forwarding Order had been notified in both English and Khmer.¹⁰⁵ The Co-Lawyers were instructed to file their response in English within 60 days after the date that the full translation of the ICP's Final Submission is notified.¹⁰⁶

OUTSTANDING LITIGATION

39. On 18 November 2016, the Co-Lawyers filed a motion requesting that the CIJs reject the application of forced marriage as an "other inhumane act",¹⁰⁷ which is presently pending before the CIJs. The Parties disagree on whether the motion is premature and should be dealt with at the time of the Closing Order, whether the crime violates the principle of legality, and whether the underlying facts from the DK period meet the gravity requirement.¹⁰⁸
40. The Co-Lawyers have filed two requests for annulment that are still pending before the PTC as of the date of this Submission. The first application asks the PTC to annul four WRIs on the grounds that S-21 biographies were used as investigative leads to locate the witnesses who were then interviewed, arguing that the resulting statements constitute torture-derived evidence.¹⁰⁹ The ICP argues that allowing S-21 biographies to be used as investigative leads does not contravene any of the policies underlying the exclusionary rules applicable to torture-tainted evidence itself, and in fact would promote the prevention and punishment of torture.¹¹⁰ Similarly, the second pending request asks the PTC to disregard what the Co-Lawyers have deemed to be torture-derived sections of 22 WRIs identified in an attached annex.¹¹¹ In the Forwarding Order, Judge Bohlander stated that in his opinion, the first application need not be resolved before the Co-Prosecutors file their final submissions; he also noted that the PTC might deem the application inadmissible for

being filed out of time.¹¹² The second pending request was filed more than two weeks after the Forwarding Order was issued.

EVIDENCE ON CASE FILE 003

41. At the close of the investigation, Case File 003 contained around 7,000 documents.¹¹³ This includes more than 900 written records of interview, as well as contemporaneous DK documents; S-21 prisoner lists; civil party applications; DC-Cam interviews and documentation; trial transcripts from Cases 001, 002/01, and 002/02; photographs; maps; media reports; and academic books and articles. The evidence definitively establishes the extent to which **Meas Muth** was involved in, and is responsible for, the crimes alleged herein.

III. MEAS MUTH'S ROLE AND RESPONSIBILITY

1. MEAS MUTH'S PERSONAL BACKGROUND AND PRE-1975 ROLE

42. **Meas Muth** was a senior member of the CPK, an experienced military commander, and well-established leader in the Khmer Rouge military when the CPK took power in Cambodia in April 1975.
43. **Meas Muth**, also known as "Khe Mut", was born in Pou Village, Srey Khnong Commune, Chhuk District, Kampot Province in 1938.¹¹⁴ He joined the Khmer Rouge in May 1970¹¹⁵ and remained with the movement until 1999 when he defected to the Cambodian government.¹¹⁶ Though describing himself as "only a simple member of the Party",¹¹⁷ the evidence demonstrates that **Meas Muth** rapidly ascended the Khmer Rouge hierarchy to eventually hold senior level positions as he was one of the CPK's most trusted members.
44. After joining the Khmer Rouge in 1970, **Meas Muth** was assigned as a medic. He was posted first in Pou Village and then in Angkor Chey District (District 102), located in Sector 13.¹¹⁸ At the end of 1970 or early 1971, **Meas Muth** became the Deputy Commander of Angkor Chey District military where he controlled at least 200 troops.¹¹⁹ Shortly after, he was appointed to Sector 13 Committee in the Southwest Zone,¹²⁰ where he was in charge of the military until at least 1973.¹²¹ At that stage, **Meas Muth** had already been inducted as a full-rights member of the CPK.¹²²

45. In 1973 or early 1974, **Meas Muth** was appointed Commander of the newly created Division 3 of the Southwest Zone.¹²³ He was “responsible for food supply, ammunition, and weapons”.¹²⁴ He also acted as a military instructor at Phnom Damrei Romeal Mountain, located at the border of Kampong Speu, Kampot, and Takeo Provinces.¹²⁵
46. On or around 11 April 1975, **Meas Muth** conducted a meeting at ROUNG DARNEI Village, Trapeang Chhuk District, Kandal Province during which he directed the soldiers under his authority to prepare to attack Phnom Penh. He distributed new weapons to the soldiers and informed them that the attack would occur in three days.¹²⁶ A few days later, Division 3, under **Meas Muth**’s leadership, became involved in the final offensive against Phnom Penh.¹²⁷ On 17 April 1975, **Meas Muth** commanded the battlefields north of National Road 4 and organised meetings with chiefs of regiments and battalions to assign battle targets.¹²⁸ Following the Khmer Rouge’s takeover of Phnom Penh, **Meas Muth** was transferred to Kampong Som along with Division 3.¹²⁹
47. **Meas Muth**’s meteoric rise through the military ranks and within the Party’s leadership was linked to his close relationship with the Secretary of the Southwest Zone and Standing Committee member Chhit Chhoeun alias Ta Mok. **Meas Muth** met Ta Mok when he studied at Preah Soramarith Buddhist High School and stayed at a monastery managed by Ta Mok and the CPK.¹³⁰ He was then recruited to join the Khmer Rouge and married Ta Mok’s daughter, Yeay Khom, before 1973.¹³¹ Ta Mok was known for favouring his relatives by appointing them to powerful positions, especially within the Southwest Zone,¹³² and **Meas Muth** was no exception — Ta Mok was responsible for **Meas Muth**’s appointment as member of the Sector 13 Committee and as Division 3 Commander.¹³³

2. MEAS MUTH’S DK ROLE

MEMBER OF THE CPK

48. As of at least 1973, **Meas Muth** had become a full-rights member of what became known as the Communist Party of Kampuchea.¹³⁴ As a senior leader of the CPK, he was required to contribute to the building and development of “Party political, ideological, and organisational stances” and to better and more efficiently implement “Party politics, ideology, and organisation” to achieve the goals of the CPK.¹³⁵

MEMBER OF THE CENTRAL COMMITTEE

49. **Meas Muth** was a member of the CPK Central Committee as confirmed by Khieu Samphan, the DK Head of State and fellow Central Committee member: “the central committee consisted of more than 30 members [...]. Among them was **Meas Mut[h]**”.¹³⁶ Accordingly, **Meas Muth** was one of a small number of Central Committee members who were part of “the highest operational unit throughout the country” between Party Congresses,¹³⁷ and effectively the second highest body within the CPK structure.¹³⁸
50. The members of the Central Committee included full, alternate, and *de facto* members of the Standing Committee as well as Zone and Sector Secretaries, Ministers, and Division Commanders such as **Meas Muth**.¹³⁹ Under the CPK Statute, the duties and responsibilities of Central Committee members were amongst the most critical in the CPK and included: (1) implementing the Party political line; (2) instructing all Zone and Sector committees “to carry out activities according to the political line”; and (3) governing and arranging cadres and Party members by “constantly, clearly, and closely grasping personal histories, political, ideological, and organizational stances”.¹⁴⁰
51. S-21 chairman Duch¹⁴¹ and Division 164 soldier Lon Seng¹⁴² confirmed that **Meas Muth** worked closely with other Central Committee members throughout the DK regime. **Meas Muth**’s telephone operators reported that he received telephone calls “once per day and sometimes once every two days” from Office K-1,¹⁴³ which at various times was the place of work and residence of Standing Committee members¹⁴⁴ including Pol Pot, Nuon Chea, and Khieu Samphan. **Meas Muth** kept CPK leaders, such as Pol Pot, Nuon Chea, and Vorn Vet informed of the situation in the areas under his authority,¹⁴⁵ communicated frequently with Standing Committee member and General Staff Commander Son Sen,¹⁴⁶ and accompanied Deputy Prime Minister Ieng Sary in meetings with foreign authorities.¹⁴⁷ **Meas Muth** himself has acknowledged that he would meet with Son Sen “in order to carry out the work of the Central Committee”.¹⁴⁸

DEPUTY SECRETARY OF THE GENERAL STAFF

52. In 1978, **Meas Muth** was appointed Deputy Secretary of the General Staff Committee of the Revolutionary Army of Kampuchea (“RAK”), the central command of the military.¹⁴⁹ The General Staff was responsible for maintaining internal security,¹⁵⁰ monitoring internal

and external threats,¹⁵¹ and coordinating the implementation of CPK policies in the RAK units under its command.¹⁵² The General Staff controlled all three branches of the RAK — infantry, air forces, and navy¹⁵³ — and was in charge of effecting Central Committee orders,¹⁵⁴ particularly with respect to the execution of internal enemies.¹⁵⁵

53. Son Sen served as Secretary of the General Staff throughout the DK regime.¹⁵⁶ Men San alias Ya and Seat[h] Chhe completed the General Staff Committee, acting as Deputy Secretary and member, respectively.¹⁵⁷ **Meas Muth**, as head of the Navy, and other high-ranking military Commanders such as Sou Met, Nath, and Pech Chhan alias Soam were also members of the General Staff.¹⁵⁸ In or around 1977, Seat[h] Chhe was arrested and Men San was transferred to the Northwest Zone.¹⁵⁹ They were not immediately replaced and Son Sen remained the sole member of the General Staff Committee until 1978 when **Meas Muth** was promoted to the position of one of Son Sen's deputies.¹⁶⁰ He occupied this position alongside Sou Met until DK fell.¹⁶¹ The evidence shows that **Meas Muth's** influence in the General Staff increased throughout the regime, reaching its peak in late 1978 when he was entrusted with the control over three branches of the military and was assigned to conduct purges within centre divisions and autonomous sectors on behalf of the Centre.
54. As Commander of the Navy and member of the General Staff, **Meas Muth** reported to and received orders directly from Son Sen¹⁶² and attended monthly meetings at the General Staff headquarters in Phnom Penh.¹⁶³ Contrary to **Meas Muth's** claims that “in the meetings I attended with Son Sen, we discussed whether there was enough rice or not. [...] I did not attend the secret meetings where the leaders investigated the cases of the enemy”,¹⁶⁴ CPK documents prove that the CPK's enemy policy and its implementation were often the main topics of such meetings.¹⁶⁵
55. **Meas Muth's** visits to Phnom Penh to participate in the General Staff meetings became more frequent in the later years of the regime. A set of surviving RAK documents prove that **Meas Muth** attended at least six high-level meetings between 1 June 1976 and 1 March 1977.¹⁶⁶ RAK military personnel confirm that **Meas Muth** would often travel from Kampong Som to Phnom Penh to meet with Son Sen and other division leaders.¹⁶⁷

56. **Meas Muth**'s commitment to and efficient implementation of CPK's policies led to his promotion to Deputy Secretary of the General Staff.¹⁶⁸ In late 1978, he was assigned to work at the military headquarters in Phnom Penh while maintaining control over Division 164 and Kampong Som Sector.¹⁶⁹ At that stage, the General Staff Committee was formed by Son Sen, **Meas Muth**, and Sou Met.¹⁷⁰
57. Following his promotion, **Meas Muth**'s duties within the General Staff significantly changed. As a member of the General Staff, his responsibilities were to provide logistics support in mobilising forces, formulating combat strategies, and arranging food supplies and ammunition.¹⁷¹ However, as one of Son Sen's deputies, **Meas Muth** became involved in overseeing border issues,¹⁷² had authority to make decisions on behalf of the General Staff,¹⁷³ and was in charge of executing orders from the Centre.¹⁷⁴
58. **Meas Muth** was sent to Memot District, Kampong Cham Province, to lead Division 164 and central troops during the suppression of purported East Zone rebels.¹⁷⁵ He also travelled to Kratie, known as Autonomous Sector 505, in late 1978 to conduct the purges of Centre Division 117 military personnel and of top-level Sector 505 civilian cadres. In Kratie, **Meas Muth** ordered the arrests of cadres, personally organised the transportation of those arrested to Phnom Penh, and restructured Division 117 and Sector 505 command.¹⁷⁶ Further, as Deputy Secretary of the General Staff, **Meas Muth** had access to confidential communications between Centre divisions.¹⁷⁷

SECRETARY OF DIVISION 164

59. As Secretary of Division 164, **Meas Muth** led the largest military division in the RAK which was responsible for internal and external security of Cambodian territorial waters, islands, and Kampong Som Autonomous Sector.
60. Following the announcement of the formation of the RAK in July 1975,¹⁷⁸ **Meas Muth**'s Division 3 was restructured¹⁷⁹ and became a Centre division, reporting directly to the General Staff.¹⁸⁰ Division 3 was combined with other forces¹⁸¹ and renamed Division 164¹⁸² and was also known as the RAK Navy as it was assigned to protect the DK territorial waters.¹⁸³

61. **Meas Muth**, who had been the Commander of Division 3 since its inception in 1973,¹⁸⁴ remained in control after the division was restructured into Division 164¹⁸⁵ and was in command through to January 1979.¹⁸⁶ Shortly after the CPK's takeover of Phnom Penh, **Meas Muth** moved to Kampong Som City,¹⁸⁷ which served as a military base for Division 3/164¹⁸⁸ and was mainly occupied by soldiers¹⁸⁹ after the evacuation of its civilian population to nearby villages.¹⁹⁰
62. **Meas Muth** was officially introduced as the Navy Commander during an assembly held at the Olympic Stadium in Phnom Penh in the presence of Pol Pot, Nuon Chea, Ieng Sary, Son Sen, and Khieu Samphan.¹⁹¹ At the ceremony, Pol Pot handed out military insignias of each branch of the armed forces to its respective commander. **Meas Muth** received the Navy symbol and Pol Pot emphasised that it was the Navy's responsibility to "protect the territorial waters and the islands and to reconstruct the country."¹⁹² The territorial waters that Division 164 was required to cover extended over 400 km of coastline and included about 200 islands such as Koh Rong, Kho Thmei, Koh Pring, Koh Tang, and Koh Poulo Wai.¹⁹³
63. Division 164 was responsible for patrolling the DK coastline and islands as well as to provide military support to other divisions and to operate worksites and security centres in the area of its control.¹⁹⁴
64. **Meas Muth**'s division was recorded as having 8,611 soldiers in October 1976 and 8,568 personnel in April 1977, significantly larger than Division 310 which was the second largest Centre division comprising 6,096 soldiers in April 1977.¹⁹⁵ The large size of his division was confirmed by **Meas Muth** himself who stated that he had 10,000 to 12,000 personnel under his command.¹⁹⁶
65. Division 164 was comprised of four regiments and six independent battalions all of which reported directly to **Meas Muth**. Division 164 regiments were numbered 161, 162, 163, and 140, the latter of which contained all of the DK's naval ships. Each regiment included at least three battalions; each battalion had three companies or more; and each company had at least three platoons. The six independent battalions were numbered 165 (also known as 450), 166, 167, 168, 169, and 170. Combined, these regiments and battalions were responsible for the protection of DK's territorial waters, the garrisons on DK islands, and

the protection of Kampong Som City and surrounding areas. In particular, Battalion 165 (450) was in charge of Kampong Som City including Wat Enta Nhien Security Centre; Regiment 163 was in charge of the Ream area and the Toek Sap Security Centre; and Regiment 162 had control over the Durian I Execution Site located near Ream Beach and the worksites around Stung Hav.¹⁹⁷

66. **Meas Muth** lived and worked at the Division 164 headquarters from mid-1975 until at least late 1978.¹⁹⁸ The headquarters were at first located in the surroundings of Phsar Leu Market in Kampong Som City and later at another location southeast of the market and northeast of Sokha hotel.¹⁹⁹ The compound included **Meas Muth**'s house, a telegraph office, a broadcasting office, messenger living quarters, and a dining hall.²⁰⁰
67. **Meas Muth** controlled all decisions affecting Division 164's area of operation.²⁰¹ He personally inspected islands, worksites, and security centres under his authority.²⁰² In addition, **Meas Muth** frequently provided instructions to and received reports from his subordinates on the situation on the islands and mainland.²⁰³ He was further responsible for monitoring each military unit in the division and coordinating military movements.²⁰⁴
68. **Meas Muth** was also in charge of providing political training to Division 164 personnel.²⁰⁵ During the study sessions, which were generally conducted at Kampong Som Cinema,²⁰⁶ **Meas Muth** taught political affairs and ideology, instructing the attendees to "be on the lookout for enemy activities within our ranks".²⁰⁷ As part of a broader purge of the RAK,²⁰⁸ he would screen biographies of the marines and authorise arrests of alleged traitors from Division 164.²⁰⁹ **Meas Muth** confirmed his leading role in imparting the CPK ideology and policies to division members stating that he "was in charge of politics".²¹⁰
69. Division 164 was "under the absolute leadership monopoly of the CPK".²¹¹ Consequently, **Meas Muth** was required to have a direct reporting relationship with other senior leaders of the Party,²¹² and he did so through regular reports in relation to the operations of the DK Navy to the General Staff Commander Son Sen and other senior leaders of the CPK, particularly with respect to the capture of any Thai or Vietnamese vessels that entered Cambodian waters.²¹³

SECRETARY OF KAMPONG SOM AUTONOMOUS SECTOR

70. As the Secretary of Kampong Som Autonomous Sector, **Meas Muth**, with the two other members of the Sector Committee, was responsible for all CPK administrative bodies at the Sector, District and Commune level.
71. The Kampong Som Sector was situated on the DK peninsula adjacent to the Southwest and West Zones' borders, covering an area of approximately 800 square kilometres.²¹⁴ The sector's northernmost point was Stung Hav Port, the eastern boundary was Veal Renh Commune, the southernmost point was Ream Commune, and Kampong Som City was its westernmost point.²¹⁵ The Sector's longest point from north to south was 30 kilometres and from east to west, 35 kilometres.²¹⁶
72. Upon his arrival in Kampong Som, **Meas Muth** was appointed Sector Secretary whilst retaining command of Division 3/164.²¹⁷ As Kampong Som was an Autonomous Sector,²¹⁸ **Meas Muth** reported directly to the Standing Committee through Office 870.²¹⁹ The other two members of the Sector Committee were Chea Krin, as **Meas Muth**'s Deputy, and Ta Launh.²²⁰ In particular, Krin was in charge of the Kampong Som Port and Launh of logistics.²²¹ By virtue of their membership of the Sector Committee, **Meas Muth**, Chea Krin, and Ta Launh were required by the CPK to lead collectively, taking into account their individual responsibilities.²²² Consequently, they were required to participate in meetings and express their ideas on different issues that related to the Sector.²²³
73. **Meas Muth**'s position as Sector Secretary and authority over the Kampong Som administrative area was announced by the Party Centre in a public broadcast on 13 December 1977 which referred to **Meas Muth** as the "secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee". The broadcast also named the other two members Krin and Launh, announcing "Comrade (Krin), deputy secretary of the Kompong Som town KCP Committee; Comrade (Lonh), member of the Standing Committee of the Kompong Som town KCP Committee".²²⁴
74. This broadcast described **Meas Muth**, Krin, and Launh welcoming a Chinese delegation travelling with Pol Pot and Ieng Sary to Kampong Som City on 12 December 1977. Together, the Committee members escorted the visitors to various islands in the DK territorial waters and hosted a "solemn banquet" in which **Meas Muth** toasted "the great

revolutionary friendship and great military solidarity between our two parties, peoples and countries.”²²⁵

75. Duch told the Co-Investigating Judges that **Meas Muth** was “a special sector secretary in Kampong Som”²²⁶ and “Chairman of the Kampong Som City Committee”²²⁷ and that “the villages [around Kampong Som] and the port were under the control of Brother **Muth**.”²²⁸ Pak Sok also confirmed that **Meas Muth** was “in overall charge of Kampong Som as a whole in terms of military, the workers, and the port.”²²⁹ **Meas Muth**’s authority over the entire Kampong Som Sector is further demonstrated by the appointment of Division 164 high-level Commanders Long Saroeun and Sok Pheap to the positions of chief and deputy of the Kampong Som Port, respectively, after Krin was sent on an assignment to Hong Kong in or around February 1978.²³⁰
76. As Division 164 and Kampong Som Autonomous Sector Secretary, **Meas Muth** controlled both military and civilian affairs in the Kampong Som Sector.²³¹ Accordingly, his authority was not limited to Division 164 cadres and the Kampong Som City but it extended over the entire Kampong Som Sector and included civilian cooperatives such as Thmar Thom, Ou Mlou, Lar Ed, Smach Daeng, Pu Thoeung, and Ba-bos and the population living therein.²³²
77. **Meas Muth** issued and received reports on the area’s population and food production,²³³ and implemented CPK’s directives such as food rations for foreign guests staying in the region.²³⁴ On 19 September 1976, **Meas Muth** reported on the Kampong Som Sector, stating that there were 17,000 people, including soldiers and civilians, working in the cultivation of crops in the area under his control.²³⁵
78. In late 1978, **Meas Muth** was assigned to work at the military headquarters in Phnom Penh. However, he maintained control over Kampong Som until the end of the DK regime, giving orders through Tim Seng, chief of Regiment 140, who was appointed to command the areas under the control of Division 164 after **Meas Muth**’s transfer to Phnom Penh.²³⁶

EFFECTIVE CONTROL

79. During the DK period, **Meas Muth** had both *de facto* and *de jure* control over Division 164 military personnel and Kampong Som Sector administrative personnel. He had the authority to issue orders to these subordinates, to appoint and dismiss military and civilian

personnel, and to discipline and punish them. In particular, **Meas Muth**'s authority gave him the power to prevent and punish crimes committed by his subordinates had he intended to do so.

80. The CPK Statute stipulates that the “[l]ower echelon respects the upper echelon” and that they “must carry out” the instructions and orders of their commanders. In practice, through the DK period, **Meas Muth**'s orders were invariably followed by his subordinates who respected and feared him because of his matter of fact and meticulous nature.²³⁷ As a leader, **Meas Muth** was described as an “authoritarian”, who kept a strict watch on the discipline and behaviour of his subordinates.²³⁸
81. **Meas Muth** controlled every aspect of the division, issuing orders in respect of military operations,²³⁹ the patrolling and capturing of boats,²⁴⁰ the moving of locations,²⁴¹ demobilisation and transfer of soldiers,²⁴² agricultural production,²⁴³ arrests,²⁴⁴ and executions.²⁴⁵ **Meas Muth** had the ultimate decision-making authority within Division 164²⁴⁶ and meticulously ensured that his subordinates followed his orders.²⁴⁷
82. **Meas Muth** also had the power to appoint, promote and dismiss military and civilian personnel in Division 164 and Kampong Som Sector. Throughout the DK period, several Battalion and Regiment Commanders rose through the ranks occupying different positions within the division, which was always under **Meas Muth**'s command.²⁴⁸ These personnel were promoted to replace the extensive list of cadres that **Meas Muth** “dismissed” by ordering demobilisation, arrests, and executions of perceived traitors.²⁴⁹
83. **Meas Muth** also had the power and ability to punish his subordinates. He was responsible for ensuring that lower-level cadres followed the Party lines, instructions, and orders²⁵⁰ passed on from the division-level vertically down through to the platoon-level.²⁵¹ He had the power to punish those who failed to abide by his every command and was required to do so by implementing the “Party discipline” through “detailed examination, analysis, and deliberation” of each individual violation.²⁵²
84. In discharging this duty, **Meas Muth** set up a system of recording and screening biographies of soldiers for enemy traits and suspicious activities.²⁵³ Depending on the gravity of the offence, he would then punish the individuals identified as “enemies” through self-criticism sessions, re-education, demobilisation, arrests, and executions.²⁵⁴

Meas Muth would order similar treatment to be imposed on soldiers who failed to obey his orders or simply made mistakes.²⁵⁵ A former Battalion 386 soldier confirmed that if soldiers “did not follow [Meas Muth], they would have been in trouble [...], they would have been killed.”²⁵⁶

85. **Meas Muth**’s authority in Kampong Som Sector was unquestioned, and he was feared. His subordinates avoided making “mistakes because all of them were scared”²⁵⁷ as they knew that if a soldier “did something inappropriate, [Meas Muth] did not tell that soldier this or that: he remained silent, and then he beat that soldier unconscious.”²⁵⁸ **Meas Muth**’s strict approach to discipline was well known through the ranks. Even Southwest Zone Secretary Ta Mok once reprimanded him for ordering the execution of a cadre, asking **Meas Muth**: “why did you always kill my men?”²⁵⁹
86. **Meas Muth** issued orders and instructions down the hierarchy (from division to regiment, regiment to battalion, battalion to company, and then from company to personnel).²⁶⁰ Similarly, reports went up the hierarchy — platoons would report to the company commander, companies would report to battalions, battalions reported to the regiments directly, who subsequently summarised and sent daily reports to the division radio operators, who then relayed reports to **Meas Muth**.²⁶¹ Division 164 personnel were required to provide very detailed reports,²⁶² keeping **Meas Muth** fully informed of the situation at sea and on the islands, worksites, and security centres operated by his troops, including the crimes committed by them at those places.
87. **Meas Muth** exercised similar control over Division 117 and Sector 505 towards the end of the DK period. From his position as one of Son Sen’s deputies in the General Staff, **Meas Muth** gained powers to issue orders to Division 117 military personnel, maintaining direct contact with the division commanders.²⁶³ He exercised powers to punish, dismiss, and appoint members of the division and sector as demonstrated by his visit to Kratie in November 1978 when he personally oversaw the purge of the highest-ranking cadres²⁶⁴ and replaced them with Division 164 soldiers.²⁶⁵ From this point onwards, **Meas Muth** remained in command and control of both Sector 505 and Division 117,²⁶⁶ issuing orders²⁶⁷ and maintaining a physical presence in Kratie²⁶⁸ until the arrival of Vietnamese troops in the last days of 1978.

3. MEAS MUTH'S CONTRIBUTIONS TO CRIMES

PARTICIPATION IN PERSECUTION AND EXECUTION OF ENEMIES

Overview

88. Throughout the DK period, **Meas Muth** contributed to the CPK policy to persecute and execute those suspected by the regime of political disloyalty and labelled as “enemies”. In areas under his control and using forces under his authority, **Meas Muth** ordered, instigated, facilitated, and encouraged the arrest, imprisonment, inhumane treatment, torture, disappearance, and execution of individuals from groups deemed to be enemies by the CPK. **Meas Muth** engaged in these crimes with other senior members of the CPK, senior RAK military leaders, and local subordinate military and civilian commanders in Division 164 and Kampong Som Sector.
89. In particular, **Meas Muth** participated in these crimes in the DK territorial waters and islands, Kampong Som Sector mainland and, in late 1978, Sector 505, all areas where he was the leading DK authority. These areas included Division 164 security centres at Wat Enta Nhien and Toek Sap; execution sites throughout Kampong Som Sector; and the worksites at Stung Hav and in the Ream area. **Meas Muth** also sent suspected traitors to the S-21 security centre in Phnom Penh.
90. As outlined in the *Elimination of Enemies and Opposition to CPK Leadership* section, the Party line against “enemies” during the entire DK regime was extreme and barbaric. The policy was well known to **Meas Muth** through information available to him as a senior CPK and RAK leader such as the CPK Statute, monthly publications of the *Revolutionary Flag* and *Revolutionary Youth* magazines,²⁶⁹ and high-level directives and guidelines²⁷⁰ in which they openly discussed the scope and details of the CPK policies, including the manner in which they were to be implemented.²⁷¹ **Meas Muth** further received the content of the CPK enemy policy through high level CPK and RAK meetings.²⁷²
91. **Meas Muth** maintained a close relationship with Standing Committee members throughout the regime which gave him direct access to CPK policymakers. He reported directly to Son Sen in respect of Division 164 matters,²⁷³ and often included Pol Pot, Nuon Chea, and Ieng Sary in the correspondence, particularly when he reported on the implementation of the

CPK's enemy policy in the areas under his control.²⁷⁴ In fact, as the Secretary of an autonomous sector, **Meas Muth** was required by the CPK Statute to maintain "a system of reporting to the Central Committee",²⁷⁵ which he did through daily telephone communication with office K-1.²⁷⁶

92. **Meas Muth**'s knowledge of the enemy policy is further evidenced through his attendance at General Staff meetings in which groups of individuals were identified as "bad elements" to be targeted for purging. These groups included: (1) those who opposed the party by committing mistakes such as stealing, sabotaging, poisoning, inciting combatants to drink alcohol or free picking of fruit to eat;²⁷⁷ (3) those who were "lazy", "pretended" to be ill, or expressed discontent with the regime;²⁷⁸ (4) those who were children of soldiers, commune chiefs, or policemen who were previously executed;²⁷⁹ (5) those who were "status and rank-oriented";²⁸⁰ (6) military deserters;²⁸¹ (7) individuals or families from Vietnam;²⁸² and (8) those affiliated with external enemies, including Vietnam.²⁸³
93. As further detailed below, **Meas Muth** collaborated with other military commanders to implement this policy within the RAK Centre Divisions. He then implemented this policy in his own division and sector, instructing his subordinates to search for and smash "bad elements" in Division 164, Kampong Som Sector, and in DK territorial waters. This relentless search for enemies resulted in thousands of individuals from targeted groups being imprisoned, forced to labour, tortured, and/or executed at Division 164 security centres; execution sites and worksites located throughout Kampong Som, at sea, and at S-21 security centre.

RAK

a) RAK Centre Divisions & Independent Regiments

94. **Meas Muth** coordinated with the General Staff, Centre Division and Independent Regiment commanders to implement the criminal plan to purge the RAK by arresting, imprisoning, torturing and executing RAK Centre Division and Independent Regiment members who were suspected of being traitors or otherwise enemies of the CPK without any legal process. In particular, **Meas Muth** participated in these crimes in his area of responsibility and by sending arrestees to the S-21 security centre in Phnom Penh.

95. As Division 164 Secretary, **Meas Muth** was a member of the General Staff alongside other Centre Division and Independent Regiment commanders.²⁸⁴ He went to Phnom Penh on a monthly basis to meet with General Staff Secretary Son Sen and other RAK high-ranking cadres.²⁸⁵ During those meetings, Son Sen instructed military commanders on the CPK policy to kill RAK individuals who were believed to be enemies of the revolution and to “re-educate” or “refashion” “bad elements”. In turn, the division commanders voiced their agreement and commitment to this CPK policy and reported on their units’ situation in respect to the arrest of internal enemies.²⁸⁶
96. Those attending these meetings with **Meas Muth** where crimes were planned and discussed included: Sou Met alias Sou Samet (Division 502), Pin (Division 703), Sbauv Him alias Oeun (Division 310), Sok (Division 170), Chea Non alias Suong (Division 450), Tal (Division 290), Pheap (Division 488), Nay (Regiment 377), Men Meng alias Chhin (Division 920), Roeun (Division 801), Sim (Regiment 152), Vin (Regiment 75), and Nun Huy alias Huy Sre (S-21).²⁸⁷ Other Division and Independent Regiment secretaries and deputies that were present in many of those meetings included Division 164 Deputy Dim, and General Staff cadres Nath, Chen, Sim, Yan, Tat, Mum, Rin, Sav, and Euan.²⁸⁸
97. The surviving CPK records show that the internal enemy situation was invariably discussed at length during those General Staff meetings. In fact, of the 16 divisional meeting minutes on the Case File, only three of them do not explicitly deal with the purge of RAK members.²⁸⁹ All regular attendees understood this purge policy and applied “revolutionary vigilance” within their divisions, reporting their progress periodically during those meetings.
98. **Meas Muth** reported on the search for internal enemies within Division 164, as other commanders did for their own commands. For example, on 19 September 1976, **Meas Muth** discussed the enemy situation in the Kampong Som region and islands and reported thefts committed by soldiers in Kang Keng.²⁹⁰ Further, on 1 March 1977, **Meas Muth** informed other division commanders that “[o]ne platoon of depot units of organization has been purged, but they are not yet all gone or reliable”.²⁹¹ In this meeting, Son Sen indoctrinated attendees on the concept of “revolutionary vigilance,” stating that it “means constant absolute storming attacks on the enemies boring from within” and reminding

attendees that “it is imperative to continue further with absolute purges”.²⁹² Each one of the 11 division and regiment representatives present at this meeting reported on the purge within their units.²⁹³

99. The open discussions by military leaders at General Staff meetings on the implementation of the enemy policy throughout the country demonstrate that they shared the common objective of purging “absolutely no-good elements” in the RAK.²⁹⁴ The most explicit example of this agreement can be seen in the meeting minutes of a divisional meeting held on 9 October 1976. During this meeting, Son Sen provided a detailed report on the arrests of a number of CPK leaders, stating that the Party had arrested traitors including Chhouk and Chan Chakrei (Division 170 Secretary, Sector 24, East Zone), Men San alias Ya (Northeast Zone secretary) and Keo Meas,²⁹⁵ and urged all present to continue the arrests of “traitors” by ensuring that the army is “clean” and that “the enemy is unable to bore from within”.²⁹⁶
100. *All* attendees voiced their agreement with “*Angkar*’s presentation about the enemies’ internal and external situations”; saying that they are now “clearly and fully informed” on the level of “treason” in the Party and “happy about the measures of the Party in discovering and arresting [traitors]”, and that “[i]t is imperative to dare absolutely to conduct purges”.²⁹⁷ **Meas Muth** confirmed his agreement with a commitment to the Party’s guidelines towards purging the RAK by stating that:

I would like to speak about concern shown with the activities of the traitors within the Party, that this has been a great victory for our Party [...] No-good elements or enemies are still camouflaged and infiltrated in the rank and file. The most important factor is the grasp of the everyday ideology of the core organizations. It is imperative to make arrangements to take measures so as to seize the initiative in advance. On this I would like to be in total agreement and unity with the Party. Do whatever needs to be done in not to allowing the situation to get out of hand and not to let them strengthen or expand themselves at all.²⁹⁸

101. The tragic consequences of this criminal agreement between **Meas Muth** and other high-level RAK military leaders is evident in the fact that at least 4,900 RAK personnel were sent to S-21 by these senior commanders.²⁹⁹ There, the victims were imprisoned, kept in inhumane conditions, tortured, and executed over a three-and-a-half-year period.³⁰⁰

102. By purging his own Division 164, Division 117 and Sector 505 leadership through the arrest, imprisonment, enslavement, torture, disappearance and execution of these individuals, **Meas Muth** significantly contributed to the agreement to purge enemies in the RAK across all Centre Divisions and Independent Regiments in the DK. In particular, **Meas Muth** participated in these purges through crimes committed in security centres at Wat Enta Nhien, Toek Sap, and S-21; in worksites and execution sites located at Stung Hav and in the Ream area; and in Kratie.

b) Division 164

103. **Meas Muth**'s purge of his own division involved the implementation of a system in which perceived traitors would be identified, arrested, imprisoned, enslaved, and often disappeared or executed. **Meas Muth** carried out this purge on an ongoing basis throughout the DK period. In order to identify who should be arrested, **Meas Muth** required Division 164 members to record their biographies and created an inspection committee to review those biographies and investigate their validity.³⁰¹
104. This process of recording biographies was in accordance with Party policy and enabled **Meas Muth** to identify those with capitalist tendencies³⁰² and wrongdoers for imprisonment or execution.³⁰³ As part of this process, for instance, **Meas Muth** requested investigations into the background of East Zone soldiers for enemy traits.³⁰⁴ If this screening process revealed that a biography contained enemy links or was false, the individual to whom the biography belonged would be punished by either being sent to a worksite to labour (refashioning) or to a security centre for forced labour and/or execution.³⁰⁵
105. To assist in this search for enemies, **Meas Muth** conducted training sessions where he instructed all Division 164 cadres to actively search for "enemy activity within our ranks" and report to their superiors any suspicious activities.³⁰⁶ **Meas Muth** discussed the policy of purging and destroying internal enemies at meetings³⁰⁷ and encouraged Division 164 cadres to spy on perceived traitors.³⁰⁸
106. Generally, higher ranked cadres were sent to S-21 for interrogation, torture, and execution while their subordinates were purged in Kampong Som Sector.³⁰⁹ Those purged in Kampong Som were sent to security centres and worksites which were under **Meas Muth**'s

supervision through his subordinate units.³¹⁰ As head of Division 164, **Meas Muth** was required to identify more traitors from the content of purged cadres' confessions taken at S-21 and consider the arrest of implicated persons.³¹¹ Any further arrests would have to be authorised by **Meas Muth** in consultation with Son Sen.³¹²

107. **Meas Muth** controlled Division 164 soldiers through fear. He arranged meetings during which he announced the arrest and confessions of “traitors”³¹³ as a constant reminder of the fate of those accused of having links with enemies. **Meas Muth** discussed the particulars of confessions³¹⁴ and referred to the arrestees as “traitors”, listing their names in a rhyme-like manner³¹⁵ to ensure that his subordinates would not forget the consequences of treacherous behaviour.
108. In particular, **Meas Muth** announced the purge of senior members of Division 164, such as Division 164 Deputy Dim and committee member Chhan.³¹⁶ Following Chhan's purge in October 1976, **Meas Muth** ordered the arrest of the entire former Battalion 386 leadership.³¹⁷ He then convened a meeting in late 1976 or early 1977 at Koki village near Kang Keng Airfield, in which he read confessions of the arrestees to thousands of soldiers, including former Battalion 386 members.³¹⁸
109. Shortly after that, in or around April 1977, during the “Victory Commemoration Day”, in a meeting held at the far end of Ochheuteal Beach, **Meas Muth** once again announced Dim and Chhan's arrest to 1,000 Division 164 soldiers,³¹⁹ claiming that Dim and others had “plans to rebel”.³²⁰
110. Then, during a special meeting at Stung Hav in mid-1977, **Meas Muth** announced that the former Sector 37 leaders were “traitors”.³²¹ **Meas Muth** also held special meetings to discuss Division 164 East Zone soldiers, stating that “all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division.”³²² In addition to those announcements, **Meas Muth** would also state more generally that there were enemies hiding in the ranks and that they were constantly kept under surveillance.³²³
111. In order to carry out the purge of Division 164, **Meas Muth** worked closely with his direct superior Son Sen and direct subordinate Dim (until Dim's own arrest in 1977). For example, on 13 August 1976, **Meas Muth** reported to Son Sen in a telegram that “all our

detained people that had problems” were released by two Division 164 combatants.³²⁴ Two weeks later, during an RAK meeting, **Meas Muth** or his representative deemed these two Division 164 troops “traitorous combatants” for releasing detained members of Division 164.³²⁵

112. In September 1976, **Meas Muth**’s direct subordinate, Division 164 Deputy Dim, reported to **Meas Muth** that he had followed **Muth**’s orders to arrest individuals regarded as enemies or traitors. At the end of that month, Dim sent a telegram to **Meas Muth** stating: “we took the *measure against the enemy that you decided* [...] five of them fled into the forest, [and] were pursued and arrested by us”.³²⁶
113. **Meas Muth** continued to make arrests in collusion with Son Sen as evidenced by a directive sent by Son Sen on 4 November 1976 to Division 164 which instructed **Meas Muth** to keep recent arrests secret.³²⁷ Throughout 1976 several members of Division 164 were sent to S-21,³²⁸ including Division 164 Committee Member³²⁹ Chey Han alias Chhan.³³⁰ His arrest was followed by the purge of the entire former Battalion 386 leadership³³¹ and many other cadres working under Chhan’s authority within Division 164, including commanders of companies and platoons.³³²
114. In 1977, **Meas Muth**’s purge of Division 164 and Kampong Som Sector accelerated. Battalion 386 members that had survived the arrests and executions of late 1976 were demobilised and sent to production units operated by Division 164 due to their connection to Chhan.³³³ On 1 March 1977, **Meas Muth** reported to Son Sen and other division commanders on purges in his division, informing that those arrests were still insufficient to counter the enemy threat.³³⁴ As a consequence, seven weeks later, beginning on 21 April, **Meas Muth** effected a major purge of high-ranking Division 164 cadres. The purge included the Division 164 Deputy Secretary Hoeng Doeun alias Dim³³⁵ and Members Mom Chim alias Yan³³⁶ and Men Nget.³³⁷
115. At the Kang Keng Airport meeting in which **Meas Muth** read confessions of purged Division 164 personnel,³³⁸ he also stated that the “former soldiers of [Unit] 86 (386) did not deserve trust” and, shortly after that, more than half of those then disarmed soldiers of Battalion 386 were arrested and disappeared.³³⁹

116. **Meas Muth** automatically considered subordinates to be “affiliated” or part of the “string” of their military leader³⁴⁰ and because his Deputy Dim implicated numerous Division 164 cadres and soldiers during interrogations at S-21,³⁴¹ **Meas Muth** ordered the purge of all the East Zone cadres and soldiers within Division 164.³⁴²
117. Throughout 1977, Son Sen requested **Meas Muth** to review confessions obtained at S-21 as to whether the Division 164 soldiers named within them were traitors. Two confessions from S-21 prisoners contained annotations from Son Sen that show that specific requests to **Meas Muth** for further investigations were made. After 8 May 1977, Son Sen said that he “would invite Comrade Mut to check this together”³⁴³ and on 10 September 1977 when he instructed cadres to “[c]ontact Comrade Mut so that he can take measures.”³⁴⁴ On 31 December 1977, **Meas Muth** further confirmed his duty to kill enemies in a telegram to Office 870. He stated that those in the Navy have a duty to sweep “cleanly away and without half-measures” all enemies of the army, including internal enemies.³⁴⁵
118. By 1978, Division 164’s purging process was in full motion with **Meas Muth**’s subordinates screening, searching, and purging internal enemies as part of their duties. Witnesses confirm that throughout the year biographies of soldiers were taken,³⁴⁶ units were demobilised,³⁴⁷ arrests were ordered,³⁴⁸ and the persecution of East Zones soldiers continued with almost all of them being executed³⁴⁹ as “the sweeping clean was done seriously”.³⁵⁰ As part of this process, in late 1978 or early 1979, **Meas Muth** ordered the arrest and execution of Kampong Som City Committee Member Launh who survived the execution attempt.³⁵¹
119. As a result of the purge of individuals from Division 164 at security centres and worksites under **Meas Muth**’s control, thousands of Division 164 members were imprisoned and enslaved with many hundreds being executed or simply disappearing following their arrest.³⁵² Of those arrested, **Meas Muth** sent 67 to S-21 where they were imprisoned, subjected to inhumane conditions, tortured and executed.³⁵³

c) Division 117 & Sector 505

120. **Meas Muth** further contributed to the persecution of the RAK and others by personally overseeing the purge of soldiers and officials of Division 117 and Sector 505 in late 1978. In particular, his participation included the search for, arrest and detention of these military

and civilian cadres in Sector 505 and then their execution at the S-21 security centre after their transfer to Phnom Penh.

121. **Meas Muth** gained authority over Division 117 after becoming one of Son Sen's deputies in the General Staff in 1978.³⁵⁴ By October that year, **Meas Muth** was in personal command and control of Division 117 forces, receiving reports and issuing orders to troops engaged in the fighting along the Vietnamese border.³⁵⁵
122. In order to conduct the purge of Division 117 and Sector 505, **Meas Muth** travelled to Kratie³⁵⁶ with his forces to take over control of both the division and the sector on behalf of the Party Centre.³⁵⁷ Upon his arrival, **Meas Muth** ensured that 10 high-level cadres were transferred to S-21.³⁵⁸ He was physically present when some boarded the aircraft bound for Phnom Penh.³⁵⁹ **Meas Muth** then presided over a meeting with the remaining cadres and announced that he had decided to remove their leadership because they "were traitors"³⁶⁰ who were "not resolute in fighting the Vietnamese" army.³⁶¹
123. Following the purges, in a demonstration of his control over Division 117 and Sector 505,³⁶² **Meas Muth** replaced the purged cadres with trusted soldiers.³⁶³ He also deployed a considerable number of Division 164 troops to control the other forces in Kratie.³⁶⁴ Throughout December 1978, **Meas Muth** and his subordinate forces continued the purge, targeting lower-level cadres and civilians.³⁶⁵ In particular, **Meas Muth** issued direct orders for the execution of a Sector 505 committee member in charge of military affairs,³⁶⁶ Mao Oeung.³⁶⁷
124. **Meas Muth** is also responsible for the shooting and killing of retreating military forces by his troops pursuant to Centre policy.³⁶⁸ Those soldiers "were accused of being non-patriotic, non-resolute and not strongly committed" for withdrawing from fights at the Vietnamese border.³⁶⁹ Moreover, **Meas Muth** also acted on behalf of the Centre when he was sent to Memot around the same time to lead Division 164 and Centre forces to suppress rebels in the East Zone.³⁷⁰ Further corroborative evidence of **Meas Muth's** involvement in the purges of RAK soldiers from divisions other than Division 164 is his own admission that he went to Kratie "on another mission" in 1978.³⁷¹

Vietnamese

125. In furtherance of CPK policy, **Meas Muth** supported and actively participated in the arrest, imprisonment, torture, and execution of individuals of Vietnamese nationality, those of Vietnamese ethnicity, or anyone else perceived to be Vietnamese. This occurred in Cambodian territorial waters, on its islands, in Kampong Som Sector, and at S-21 security centre in Phnom Penh.

126. As the commander of the Navy, **Meas Muth**, through Division 164 and, in particular, Regiment 140, utilised radar to monitor the waters off the coast of Cambodia, and dispatched ships to intercept vessels that were perceived to have come within DK territorial waters. **Meas Muth** issued orders to his subordinates to capture and either transfer or kill foreigners travelling on those vessels. He encouraged and ordered the systematic execution of Vietnamese captives either at security centres or execution sites in the Kampong Som region or at S-21 where he sent at least 194 Vietnamese for execution.³⁷²

127. In particular, the arrests and executions of the Vietnamese in Kampong Som Sector, at S-21, on the islands, and at sea were done in accordance with the CPK national policy to target and execute Vietnamese individuals in DK. **Meas Muth** was aware of this policy through statements of senior CPK leaders and the main CPK policy documents such as the *Revolutionary Flag* magazines, in which Vietnamese people were dehumanised and described in a derogatory manner.

128. For example, in April 1977, the Party Centre referred to the Vietnamese as “the cheap running dogs of the enemy” who 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.”³⁷³ In this publication, the Party instructed cadres that: “[w]e must continue to strike them and trample them [...] and must constantly be on the offensive against them during 1977 to smash them even more so they cannot raise their heads.”³⁷⁴

129. The hate speech against the Vietnamese continued to worsen after the DK Government broke off diplomatic relations with Vietnam on 31 December 1977. *Revolutionary Flag* magazines³⁷⁵ and radio broadcasts³⁷⁶ from 1978 include messages such as Pol Pot’s 17 April 1978 speech,³⁷⁷ in which he called on every Khmer to kill 30 Vietnamese.³⁷⁸

130. **Meas Muth**'s intent to further this national policy is manifest in a telegram he sent to the Standing Committee through Office 870 in which he states:

We have received the guiding view and the declaration of the Party about the aggression of the Yuon who have come to swallow the territory of our Motherland. We who have the duty to defend the maritime spearhead would like to: 1. Be in total unity within the Party [...] and to defend the socialist Kampuchean motherland by sweeping cleanly away and without half-measures the uncover[ed] elements of the enemy, whether the Yuon or other enemies.³⁷⁹

131. **Meas Muth** indoctrinated low-ranking soldiers on the CPK's ideology in respect of external enemies,³⁸⁰ telling his troops not "to be deceived by the Vietnamese".³⁸¹ During meetings and political education sessions, he used inflammatory language designed to provoke hatred towards the Vietnamese. He referred to the Vietnamese as the "Hereditary Enemy" and "Enemy Number One", explaining to his soldiers that "the Thais had not [had] much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that's why the Vietnamese were considered the Hereditary Enemy and Enemy Number One".³⁸²
132. **Meas Muth** instructed his soldiers to notify him every time they captured Vietnamese nationals at sea³⁸³ and issued orders down through the ranks instructing his subordinates on how they should deal with the arrestees.³⁸⁴ A member of the Navy, Ek Ny, recalled receiving orders from **Meas Muth** to execute captured Vietnamese:

At the beginning, whenever we had captured any Vietnamese [...] we sent them to Ta Muth in Kampong Som [and all of them] ended up in the durian plantation. [...] later on, Ta Muth ordered us not to waste gasoline to transport them to Kampong Som anymore. He told us that we should make them as fertilizer for the coconut trees on the island.³⁸⁵

133. The enforcement of this policy involved Division 164 cadres targeting perceived Vietnamese people, or those perceived to be affiliated with the Vietnamese, as a whole, ordering the execution of not only soldiers but also refugees arrested in DK waters whilst travelling by boat to seek asylum in other countries,³⁸⁶ fishermen,³⁸⁷ and Khmer Krom accused of having connections with the Vietnamese.³⁸⁸
134. **Meas Muth**'s responsibility for the capture, arrest, and execution of such groups is demonstrated by his division's reports on those matters to Son Sen and other leaders³⁸⁹ and

by the fact that **Meas Muth**'s subordinates were required "to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance".³⁹⁰

135. **Meas Muth**'s participation in the persecution and genocide of Vietnamese is seen from his sustained involvement in the capture and execution of those individuals throughout the DK period. The evidence below provides a further example of **Meas Muth**'s commitment to the implementation of this national policy in the areas under his control.
136. Division 164's targeting of the Vietnamese began straight after 17 April 1975 and evolved through the years following the changes in the CPK policy and directives. In April or May 1975, an RAK commander who was seeking "guidance on the disposition of" more than 10 captured Vietnamese refugees³⁹¹ was ordered by the "[t]he High Command in Kampong Som" to kill the refugees. The commander and his deputy carried out the order.³⁹² As **Meas Muth** was the highest military and civilian authority in Kampong Som since April 1975,³⁹³ he would have been notified of such event and, most likely, was the person who ordered the execution.
137. In line with Party policy, **Meas Muth** referred to Vietnam as the "enemy" in reports to the upper echelon as seen in the meeting minutes of 3 August 1976 in Kampong Som, which was attended by Pol Pot, Vorn Vet, and Son Sen.³⁹⁴ Later that year, on 9 October 1976, in a meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments, Son Sen disseminated that view to division commanders, emphasising that "Before we said they [the Vietnamese] were friends with whom we had contradictions. Now they are genuinely our enemies".³⁹⁵ In that meeting, **Meas Muth** and his Deputy Dim agreed to execution policies aimed at the Vietnamese and other external enemies.³⁹⁶ In 1976, **Meas Muth**'s forces transferred 30 Vietnamese prisoners to S-21.³⁹⁷
138. From that point onwards, **Meas Muth**'s subordinates organised trainings in all battalions of Division 164³⁹⁸ during which they "were instructed to kill [Vietnamese]" whenever they captured them.³⁹⁹ Battalion and regiment members would attend study sessions at the division level and would then pass these instructions on to all units of the division.⁴⁰⁰
139. On 29 May 1977, **Meas Muth** sent a telegram to Son Sen discussing the presence of Vietnamese fishing boats that could not be located.⁴⁰¹ Around the same time, Khmer Krom

populations were transferred to Toek Sap where they were most likely executed.⁴⁰² Later that year, on 31 December 1977, after the collapse of the DK-Vietnam relationship, **Meas Muth** vowed in a telegram sent to Office 870 that he was committed to “[sweep] cleanly away” any “*Yuon*” enemy.⁴⁰³

140. In accordance with **Meas Muth**’s obligations to follow the CPK policy with respect to the persecution and execution of the Vietnamese, he would report satisfactory results to the Party Centre. For example, on 20 March 1978, **Meas Muth** reported on the sinking of a Vietnamese boat. He further informed Son Sen of the capture of 76 Vietnamese people — “both young and old, male and female” — at Koh Tang island. The report states that two of these Vietnamese fell into the water after being tied up and the rest were “brought to the mainland”.⁴⁰⁴ A few days later, on 1 April 1978, **Meas Muth** sent a report copied to Pol Pot and others detailing the capture and execution of 120 “*Yuon*” in a three-day period at the end of March 1978.⁴⁰⁵
141. Later that year,⁴⁰⁶ three Vietnamese people, an old lady, and two adolescents,⁴⁰⁷ were taken to **Meas Muth**’s headquarters in Kampong Som. Witness Mut Mao recalled that “those children were crying and screaming”.⁴⁰⁸ They had been “captured along with their boat from the sea”⁴⁰⁹ and were killed just a few metres away from **Meas Muth**’s house.⁴¹⁰ At least 150 Vietnamese nationals were captured and sent to S-21 by **Meas Muth**’s division in 1978 for torture and execution, including “spies”, soldiers, fishermen, civilians, and children.⁴¹¹
142. It is clear from **Meas Muth**’s oral and written statements, his own individual actions and those of his subordinates towards the Vietnamese captured by Division 164, that he not only intended to kill these individuals, but he also intended to destroy the Vietnamese as an ethnic group in Cambodia. **Meas Muth**’s orders and actions significantly contributed to the genocide of Vietnamese in DK territorial waters, on its islands, and in Kampong Som Sector as part of the country-wide campaign to destroy the Vietnamese as a group. Over one-third of the Vietnamese who were recorded as having entered S-21 came from areas under the authority and control of **Meas Muth**.⁴¹²

Thais and Westerners

143. Similarly, in accordance with CPK policy, **Meas Muth** actively participated in the persecution and execution of other foreigners viewed as external enemies, specifically Thais and Westerners captured in DK territorial waters or on its islands.
144. **Meas Muth** issued a standing order to capture all foreign boats that came into DK territorial waters⁴¹³ and regularly reported on his division's activities in respect to the patrol of the area to the Centre. For example, at a senior divisional meeting held on 19 September 1976, **Meas Muth** informed attendees of the encroachment of Thai fishing boats on DK waters and the capture of one of those boats a few days earlier.⁴¹⁴
145. **Meas Muth** also apprised Son Sen of the arrests of Thais by the Navy. He reported, for instance, in August 1977, on the interrogation of five Thai boat people, thereby demonstrating the suspicion with which Thai nationals were held by **Meas Muth** and the CPK hierarchy.⁴¹⁵ This suspicion is further evidenced by Son Sen's annotation on this report where he states that the entry points into DK must be explored clearly to prevent further entries.⁴¹⁶ Despite this, on 1 March 1978, **Meas Muth** informed Pol Pot and Nuon Chea about the release of Thai nationals. The release appears to have been arranged by Kampong Som City Committee Member Launh under **Meas Muth**'s supervision and with the consent of Party leaders.⁴¹⁷
146. However, not all Thai arrestees were afforded the same treatment upon their capture. **Meas Muth** issued direct orders for the execution of Thai people at one Division 164 execution site, Durian I.⁴¹⁸ He also received detailed reports that his subordinates were executing Thai fishermen. For example, **Meas Muth**'s Deputy Secretary reported to **Meas Muth** and Son Sen that "For the two Thai boats that came close in our water boundary, close to our islands, I sailed our ships and could capture both, one of which was the 300 HP and the other one was 400 HP. For the boat that we captured in the South of Koh Kong, there were two Kolaing, some fish, and oil. Most of the people on the boat had jumped into the water to escape. *Our fellow Comrades smashed the rest*".⁴¹⁹
147. Many hundreds of Thai nationals disappeared or were executed in **Meas Muth**'s area of responsibility during the DK period,⁴²⁰ including 58 Thai people who were sent from Kampong Som to the S-21 security centre for execution.⁴²¹

148. **Meas Muth** is also responsible for the arrest and execution of at least ten westerners captured in DK waters by his subordinates. **Meas Muth** explained that Division 164 would not keep westerners “as long as those from the neighbouring country” because “Pol Pot, Khieu Samphan, Ieng Sary were educated in the West in France [...]. That is why they deal with Westerns quick like that, deal with Westerns quicker than other people, because they were afraid, Pol Pot, Khieu Samphan were afraid”.⁴²²
149. Eight of the 10 non-Asian foreigners that were captured at sea were sent to S-21 where they were detained, tortured, and executed after providing a “confession”.⁴²³ Four were from the United States, two from Australia, one from New Zealand and one from the United Kingdom.⁴²⁴ The other two captured by **Meas Muth**’s subordinates were American soldiers who were taken to the Kampong Som mainland on **Meas Muth**’s orders. They have never been seen alive again.⁴²⁵

Division 164 Security Centres

150. **Meas Muth** established security centres in Kampong Som Sector as part of DK’s network of security offices, which included the S-21 security centre in Phnom Penh. His implementation of “revolutionary vigilance” against every form of enemy activity⁴²⁶ in the areas under his control yielded a constant stream of “enemies” to be processed through those detention centres.
151. **Meas Muth**’s establishment of Wat Enta Nhien and Toek Sap security centres was in line with the CPK policy to seek out and kill enemies including perceived “traitors” and “spies”⁴²⁷ without any legal process at security offices which the CPK set up across the country from as early as 1971.⁴²⁸ The methods of torture and interrogation used by **Meas Muth**’s subordinates at those security centres⁴²⁹ were developed before 1975, pursuant to instructions by the Party leaders.⁴³⁰ These offices were set up to allow the CPK to execute “enemies” in secret in order to avoid negative reactions against the Party.⁴³¹
152. Even though **Meas Muth** claims that “there was no detention centre in Kampong Som” and that only places “to keep [seized people] at least for one week waiting for officials from Phnom Penh to come and pick them up” existed in the area,⁴³² the evidence demonstrates the opposite. **Meas Muth** adhered to the CPK’s directives with respect to the need for

security offices by establishing at least two prisons in Kampong Som Sector: Wat Enta Nhien and Toek Sap. They were also known as Division 164 Correctional Offices⁴³³ and were used to “re-educate”, arrest, detain, interrogate, torture and execute those accused of committing offences or suspected of having ties with enemies.

a) Wat Enta Nhien Security Centre

153. At Wat Enta Nhien security office, in Kampong Som City, **Meas Muth** directly supervised Battalion 165 (450) which was responsible for operating this security office.⁴³⁴ Battalion 165 (450) Commander Sar Samoeun alias Ta Moeun⁴³⁵ and soldier Norn⁴³⁶ were the security centre’s chiefs. This battalion was known as the “Special Unit of Division 164”,⁴³⁷ **Meas Muth**’s “bodyguards” or “his right hand unit”,⁴³⁸ and was in charge of “protect[ing] leaders of the Division” and arresting those who “committed mistakes”.⁴³⁹
154. **Meas Muth**’s headquarters and residence were located approximately 2.4 km from Wat Enta Nhien which was in the heart of Kampong Som City. The security centre operated from 1975 through to the end of DK regime and consisted of two monks’ houses and one dining hall, where prisoners were detained. The prison population were mostly Division 164 soldiers, however, some women and children were also detained there. Detainees lived in grossly inhumane conditions: they were emaciated, tortured, and shackled during the day and at night. Hundreds of people were imprisoned, forced to work, and then executed at Wat Enta Nhien.⁴⁴⁰
155. **Meas Muth** maintained absolute control over Wat Enta Nhien security centre.⁴⁴¹ The prison chief Moeun reported directly to and received orders from **Meas Muth**.⁴⁴² They worked closely together as demonstrated by Moeun’s attendance at Division 164 high-level meetings, despite him being a battalion commander.⁴⁴³ Other Battalion 165 (450) personnel were also under **Meas Muth**’s direct supervision, as explained by Witness Em Sun: “when I joined the division, I reported directly to Meas Mut because there was no regiment between my Battalion 450 and Meas Mut. I reported to Meas Mut about the result of Meas Mut’s orders”.⁴⁴⁴
156. **Meas Muth** was personally involved in the security centre’s operation — interrogating prisoners, recording statements, sending detainees “away”, and holding decision-making power.⁴⁴⁵ He witnessed first-hand the poor conditions at Wat Enta Nhien during his regular

visits to the security centre.⁴⁴⁶ **Meas Muth** went there “to see the persons in authority and to examine the situation” at the prison.⁴⁴⁷ His presence at the security office was so frequent that **Meas Muth** was able to maintain a close relationship with the prison guards, delivering food to them once a month when he stopped by the prison whilst returning from meetings at Stung Hav.⁴⁴⁸

157. **Meas Muth** was well informed of the killings at Wat Enta Nhien and announced those executions to his subordinates during meetings. For example, **Meas Muth** told the story of the former Commander of Battalion 386 Rem, who had been killed in front of the security centre: “Ta Mut at that time even used that story along with the confessions of some of the arrested [cadres] to teach us in the meeting. He read the confessions and the story to us and announced that those confessed persons had been in the traitor string.”⁴⁴⁹

b) Toek Sap Security Centre

158. Toek Sap security centre, located in Kampong Som Sector, was administered by Regiment 163 which was under **Meas Muth**’s direct supervision.⁴⁵⁰ The Regiment headquarters were located near the security centre⁴⁵¹ and Nhen was the prison’s chairman until at least 1977.⁴⁵²
159. **Meas Muth**’s headquarters and residence were located approximately 17 kilometres from this prison. **Meas Muth**, through his subordinates, would send Division 164 soldiers and civilians, including Khmer Krom individuals, to this security centre for imprisonment and re-education which often resulted in extrajudicial executions. Detainees were subjected to forced labour, received inadequate food, and were shackled most of the time. In addition, ruthless interrogation methods and torture were frequently used. Although there are no precise numbers available, it is estimated that thousands of prisoners were detained and/or executed at Toek Sap.⁴⁵³
160. **Meas Muth** was fully aware of the imprisonment, inhumane conditions, torture, disappearances and executions at Toek Sap. He reported to Son Sen on his division’s search, arrest and interrogation of suspected enemies in the vicinity of the Toek Sap security centre. For example, on 22 February 1976, **Meas Muth** sent a telegram to Son Sen stating that “according to the responses of the one arrested east of Toek Sap the seven persons arrested at Sangvav belonged to his group”.⁴⁵⁴

161. **Meas Muth** was also aware that confessions were extracted from prisoners at this security centre. On 9 October 1976, for instance, **Meas Muth** was present at a General Staff meeting when his deputy Dim reported on the confession of a teenager who had been arrested by Division 164: “We seized a 13 year-old girl in the vicinity of the fresh water (Toek Sap) area. She confessed that she was among a group of three, who are probably staying at Ou Phos now”.⁴⁵⁵
162. **Meas Muth** witnessed the inhumane conditions prisoners were subjected to at Toek Sap during his periodical inspections at the prison, which occurred once every four or five months.⁴⁵⁶ Witness Svay Saman described one of **Meas Muth**’s visits to the site stating that he “saw [Meas Muth] in the car; then he went down to the port at the edge of Teuk Sap Tributary.”⁴⁵⁷
163. **Meas Muth**’s knowledge of and authority over the operation of the Toek Sap Security Centre is further demonstrated by his role in the transfer of prisoners by his division from Toek Sap Security Centre to S-21.⁴⁵⁸ As explained by S-21 Chairman Duch, “before someone was arrested, it was compulsory to consult the head of his unit.”⁴⁵⁹ **Meas Muth**, Division 164 Commander in charge of Toek Sap security centre, would have been consulted with respect to the transfer of those arrestees to S-21.

S-21 Security Centre

164. **Meas Muth** also authorised the transfer of individuals deemed enemies to S-21 where, as he intended, they were detained, tortured and executed. As the Secretary of Division 164 and the Chairman of the Kampong Som Committee, **Meas Muth** had responsibility, together with the Party Centre leaders in Phnom Penh, to determine which persons from Division 164 and Kampong Som would be arrested and sent to S-21.
165. S-21 was the most important prison within the DK’s national security system. It received prisoners from all hierarchy levels; including leading cadres within the CPK, DK ministries and administrative bodies, the RAK, and zone, sector, and district offices. The mistreatment to which prisoners were subjected at S-21 included barbaric conditions of detention, insufficient food and medical care, and physical abuse. Prisoners entering S-21 were systematically interrogated under torture on their biographies, their “accomplices”,

and “activities” which led to their arrest. Over 15,000 prisoners entered S-21 during its 3¼ years of existence, with all but a handful being executed.⁴⁶⁰

166. **Meas Muth** was fully aware of the existence and purpose of S-21 as he would communicate who would be sent there with Son Sen or Nuon Chea.⁴⁶¹ In addition, he attended meetings during which S-21 representatives such as S-21 Committee Member Nun Huy alias Huy Sre⁴⁶² and Duch’s predecessor Nath⁴⁶³ relayed information about activities in respect to S-21.⁴⁶⁴
167. At these meetings, other division commanders would also announce the transfer of prisoners from their divisions to S-21. For instance, on 1 March 1977, Division 502 Secretary Sou Met stated in **Meas Muth**’s presence that “[m]ore than 50 no-goods have been sent to S-21”.⁴⁶⁵ **Meas Muth** and other division commanders frequently voiced their consent to the CPK’s purging practices at General Staff meetings⁴⁶⁶ forming an agreement to purge “enemies” within their ranks by sending them to S-21 for torture and execution.
168. **Meas Muth** contributed to this plan by sending prisoners to S-21 from Kampong Som and Sector 505 in consultation with Son Sen or Nuon Chea. S-21 Chairman Duch explained that all RAK Division Secretaries were responsible for determining which persons from their divisions and areas of control would be arrested and transferred to the S-21 security centre in conference with Party Centre leaders.⁴⁶⁷ This consultation process is in part evident in annotations written by Son Sen on S-21 confessions in which he seeks **Meas Muth**’s advice in respect to implicated people.⁴⁶⁸
169. Regarding S-21 confessions, Duch explained that “[o]nce the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”.⁴⁶⁹ **Meas Muth** received those confessions and used them to encourage the search for enemies within the RAK ranks and to warn his troops of the consequences of treason. **Meas Muth** read excerpts of S-21 confessions of his deputy Dim and Committee Member Chhan to thousands of Division 164 soldiers,⁴⁷⁰ claiming that Dim and others “had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”.⁴⁷¹
170. **Meas Muth**’s paranoia about the motives of some of his own subordinates explains his deliberate use of these confessions to encourage “revolutionary vigilance” within his

division. By receiving and using these confessions, he intended more “traitors” to be arrested and transferred to S-21, completely disregarding the suffering they would go through as he was aware that these prisoners would also be required to provide “confessions” under torture at the security centre. **Meas Muth** set in motion a never-ending search for “enemies” who would eventually end up at S-21 or other security centres where they would be tortured and killed.

a) RAK General Staff, Centre Divisions and Regiments

171. As a key member of the joint criminal enterprise to purge the RAK through extrajudicial arrests, detentions, torture and executions, **Meas Muth** is individually responsible for the imprisonment, ill-treatment, and execution of at least 4,900 RAK personnel sent to S-21. He shared a common purpose with the General Staff and Centre Divisions and Independent Regiment commanders to arrest RAK internal enemies, persecute them, and execute them at S-21.
172. **Meas Muth** significantly contributed to this joint criminal enterprise by advocating in favour of the policy in meetings of the General Staff, by persecuting and executing his own RAK Division 164 subordinates in Kampong Som and Division 117 leaders in Kratie as well as sending some of these individuals for execution at S-21. There, he knew and intended that the prisoners he sent would be used to bring in more alleged traitors for torture and execution in addition to being tortured and executed themselves. As a result of the implementation of this agreement, at least 4,900 individuals from RAK General Staff, centre Divisions and Regiments, including Divisions 164 and 117, were sent to S-21.⁴⁷² The numbers from each centre unit are summarised as follows:

- (1) General Staff – 453 individuals.
- (2) S-21 – 34 individuals.
- (3) Division 170 – 403 individuals.
- (4) Division 290 – 441 individuals.
- (5) Division 310 – 1,117 individuals.
- (6) Division 450 – 509 individuals.

- (7) Division 502 – 357 individuals.
- (8) Division 703 – 676 individuals.
- (9) Division 164 – 67 individuals (**Annex D.1**)
- (10) Division 117 – 6 individuals (**Annex D.2**)
- (11) Division 801 – 35 individuals.
- (12) Division 920 – 395 individuals.
- (13) Division 152 – 291 individuals.
- (14) Regiment 377 – 53 individuals.
- (15) Regiment 488 – 77 individuals.

b) Kampong Som Sector and Sector 505

173. **Meas Muth** is also responsible for ordering the arrest, detention, torture, and execution of the following 633 individuals whom his subordinates arrested in the Kampong Som and Kratie Sectors, as well as in DK territorial waters and on its islands, and sent to S-21.

- (1) Division 1 & 2 – 2 individuals (**Annex D.3**)
- (2) Sector 505 – 26 individuals (**Annex D.4**)
- (3) Vietnamese – 194 individuals (**Annex D.5**)
- (4) Thai – 58 individuals (**Annex D.6**)
- (5) Westerners – 8 individuals (**Annex D.7**)
- (6) Former Lon Nol – 21 individuals (**Annex D.8**)
- (7) Kampong Som Sector – 73 civilians (**Annex D.9**)
- (8) Kampong Som Port – 251 workers (**Annex D.10**)

174. By virtue of **Meas Muth**'s oral and written statements demonstrating his intent to persecute and execute internal enemies, foreigners including Vietnamese, Thais and Westerners and other individuals viewed to have enemy traits; his effective control over subordinates in Divisions 164 and 117 and in Sector 505 as well as other administrative authorities in the Kampong Som Sector; and the continuous arrival of suspected enemies from Kampong

Som to S-21 throughout the DK period, **Meas Muth** must have ordered and authorised the transfer of these individuals to S-21.

175. **Meas Muth** was the highest individual authority directly responsible for the extrajudicial arrests, detentions, punishment, and executions of individuals deemed to be internal or external enemies in Division 164, in the Kampong Som Sector, in territorial waters and on islands he controlled, and in Division 117 and Sector 505 while he was there.
176. From all of the statements, reports, and communications **Meas Muth** made to both his subordinates and superiors, and those made to him, and from his actions throughout the DK period, it is evident that **Meas Muth** willingly and enthusiastically implemented the CPK policy of persecution and execution of “enemies” without legal process, and intended that these crimes be committed. Despite having effective control of the forces under his command, **Meas Muth** took no steps to prevent the crimes or to punish the perpetrators of the crimes. Rather, he committed these crimes through a joint criminal enterprise, as well as planned, instigated, ordered, and aided and abetted their commission.

PARTICIPATION IN ENSLAVEMENT AT WORKSITES

Overview

177. **Meas Muth** was the highest authority and established all policies at worksites located in the Kampong Som Sector where civilians and disfavoured soldiers were forced to labour under conditions that fulfilled all elements of the crime against humanity of enslavement. Forces under the control and authority of **Meas Muth** and acting pursuant to his orders exercised powers of ownership over civilians and demobilised military forces, who were forced to labour without compensation and under inhumane conditions at these worksites. **Meas Muth**’s forces deprived the workers of all fundamental rights and treated them as disposable assets.

a) Meas Muth’s Implementation of the Enslavement Policy

178. Between June and November 1976, **Meas Muth** attended at least five high-level RAK meetings in which production policies and goals were discussed.⁴⁷³ At these meetings, Son Sen announced the CPK plans with respect to nation-building and instructed military commanders on the “great leap movement”.⁴⁷⁴ He provided instructions on crop

production, building dikes, as well as food rations,⁴⁷⁵ explaining that their “task is to increase production to three tons per hectare and to expand dike systems by 30 percent.”⁴⁷⁶ **Meas Muth** did not hesitate in pursuing those unrealistic CPK production targets, despite being aware that they could only be achieved through the enslavement of the population under his control.

179. **Meas Muth** implemented the production policies using his authority as the Secretary of Division 164 and Kampong Som Autonomous Sector. He publicly supported “*Angkar*’s new plans” with regard to production throughout Kampong Som,⁴⁷⁷ gave orders to Division 164 personnel with respect to work assignments,⁴⁷⁸ met with cooperative chairmen regularly,⁴⁷⁹ and coordinated with village chiefs concerning plans for the region.⁴⁸⁰ **Meas Muth**’s subordinates frequently mentioned his name at meetings where various forced labour plans were discussed.⁴⁸¹ In those meetings, village chiefs told those assembled that **Meas Muth**’s “orders must be followed, implemented, and respected; otherwise there would likely be trouble”.⁴⁸²
180. **Meas Muth** went to islands to “make sure that the decision by the Party [was] effectively implemented”,⁴⁸³ “travelled up and down to monitor each military unit in the division”,⁴⁸⁴ and controlled the movement of those under his authority.⁴⁸⁵ Moreover, **Meas Muth** ordered demobilised troops to work in production units,⁴⁸⁶ and conferred on his younger brother, Meas Im, powers to oversee worksites and cooperatives in the area.⁴⁸⁷ **Meas Muth**’s deputy, Dim, and other Division 164 members reported on the worksites directly to **Meas Muth**,⁴⁸⁸ who kept the Centre informed on his division’s progress through meetings,⁴⁸⁹ written communication,⁴⁹⁰ and monthly reports.⁴⁹¹
181. **Meas Muth**’s Division 164 consistently achieved its rice production targets⁴⁹² and was lauded by Son Sen as a model division for its production.⁴⁹³ However, in order to achieve these set quotas, **Meas Muth** implemented drastic measures through the enslavement of the population in Kampong Som Sector. He forced civilians and soldiers who were identified as “bad elements” to do back-breaking labour in inhumane conditions at worksites in the Ream area, as well as at the worksites at Stung Hav.⁴⁹⁴ The cost paid by those working in the cooperatives and worksites to achieve the Party’s unrealistic production goals was

extremely high. **Meas Muth** was aware of the suffering inflicted upon the workers but took no measures to prevent the crimes or punish the perpetrators.

b) *Meas Muth's Knowledge of the Enslavement Conditions*

182. **Meas Muth**, following Son Sen's instructions to "go down to the rice paddies [...] to see and to listen to reports to be able to summarize [the] experience clearly",⁴⁹⁵ personally inspected worksites and cooperatives.⁴⁹⁶ During his visits to those sites, he had the opportunity to witness first-hand the poor living and working conditions imposed on the population.⁴⁹⁷ Further, in reports to the Centre, he commented on the insufficiency of food⁴⁹⁸ and medical supplies,⁴⁹⁹ and on the harsh working conditions experienced by labourers at the worksites.⁵⁰⁰
183. For example, in a telegram sent to Son Sen and copied to other leaders, **Meas Muth** reported that: "The number of patients coming to stay in the hospital on February 20, 1976 is 1300, excluding the number people who have fevers and stay in their work groups. More than 30 comrades have died from January 20 to February 20".⁵⁰¹ Then again on 19 September 1976, he reported that 17,000 troops and people were transplanting rice but there would be a shortage of 61,000 bushels; further stating that many of the people had fevers because they did not "have much rain clothing".⁵⁰²
184. **Meas Muth** was thus aware that people in the worksites for which he was responsible faced difficult working conditions, lacked sufficient food, and suffered from starvation and disease. **Meas Muth's** attempt to evade responsibility by denying that there was forced labour in his division⁵⁰³ simply demonstrates his consciousness of the crimes suffered by the workers and his own responsibility. The evidence shows that forced labour was only one facet of the inhumane conditions both soldiers and civilians were subjected to in Kampong Som during the regime.⁵⁰⁴ As Division 164 Commander and Kampong Som Secretary, **Meas Muth** had absolute control over the entire Kampong Som area, including the worksites and cooperatives located therein,⁵⁰⁵ and bears criminal responsibility for the great suffering inflicted upon the population by subordinates acting under his authority.
185. When asked about the people in his division, **Meas Muth** explained that "[t]o control the humans is not like controlling the animals. For the animals you can only give them grass to eat. But the humans, they need food and they have feelings as well".⁵⁰⁶ However, victims

of the enslavement practices adopted by him in Kampong Som were indeed treated like animals: they were denied of freedom of movement,⁵⁰⁷ provided with little food,⁵⁰⁸ and expected to fulfil onerous quotas⁵⁰⁹ and to work lengthy hours without rest.⁵¹⁰

Ream Worksites

186. In particular, **Meas Muth** agreed to and actively participated in the enslavement, disappearance and execution of targeted groups through the establishment and operation of worksites in the Ream area. **Meas Muth** participated in these crimes personally and through his subordinates in Division 164 units who were responsible for supervising the working population at those sites.⁵¹¹
187. The Ream worksites and execution sites were situated both north and south of National Road 4, approximately 15 km from **Meas Muth**'s headquarters in Kampong Som City. This area included dams, canals, a rock quarry, a brick kiln, rice fields, and executions sites. At the worksites, thousands of labourers were subject to inhumane conditions being forced to work for long hours without breaks, forced to meet unreasonable quotas and were provided with insufficient food.⁵¹²
188. **Meas Muth** maintained absolute control over Ream area and was involved in the operation of the worksites and cooperatives located therein. He issued orders with respect to those sites as demonstrated in the telegram of 24 September 1976 in which **Meas Muth**'s deputy Dim informed him that "in Riem and Babos Py sub-districts we have taken *measures as you, brother, have decided*. Five enemies managed to run into the forest. But now we have arrested all of them".⁵¹³ Dim also apprised **Meas Muth** of the death of a Regiment 162 soldier whilst "doing farming in the vicinity of Chamkar Daung"⁵¹⁴ and of key developments at the Kang Keng site: "the rice in all places is in progress. But in Kang Keng there are 12 hectares with deep water. However our brothers [combatants] are helping save the rice [from the flood]. As for the land, it has been cleared as planned. And it has been ploughed one time already. But we have to rake one more time."⁵¹⁵
189. Documentary evidence recording **Meas Muth**'s meetings at the divisional level prove that he was fully informed of all aspects of the resources, productivity and enemy activities including arrests of suspect individuals in Division 164 at those worksites. For example, on

3 August 1976, **Meas Muth** reported on defence force preparation in Kampong Som to Pol Pot, Son Sen, and other CPK leaders. He stated that there were six cannons placed at Ream and Kang Keng which he had in three sizes 105 mm, 37 mm, and 12.8 mm.⁵¹⁶ On 9 September 1976, during a Division 164 meeting it was relayed to Son Sen that “the local people in Kang Keng showed some unusual patterns of activities includ[ing]: For example, they cut a piece of buffalo meat. They put some stones in the brick kiln. Thefts have increased significantly. Among those local people there were not-good soldiers. Two Lieutenants have been identified and arrested.”⁵¹⁷

190. Ten days later on 19 September 1976, **Meas Muth**, while reporting on the enemy situation stated, “[i]n Kang Keng there is also [theft] which [was] mainly committed by soldiers”.⁵¹⁸ Moreover, on 9 October 1976, **Meas Muth**’s Deputy informed him of the enemy situation in Kang Keng, namely that Division 164 had “managed to arrest bandits one after another around Ream’s Kang Keng. They were among those who had just gone into the forest recently”.⁵¹⁹
191. The few surviving CPK records reveal the frequency of these military meetings and the level of detail discussed, demonstrating that **Meas Muth** had knowledge of the conditions and crimes being committed at the worksites around the Ream area. His knowledge of the conditions under which workers were forced to labour and the disappearances and executions of those considered by the authorities as not useful or politically suspect can be further adduced from the statements of witnesses who confirm that **Meas Muth** conducted inspections of the Kang Keng area (particularly at the brick kiln), that he regularly attended a house in the co-operative located close to the airport for meals, and passed by on the national highway from where he had a view of the worksites.⁵²⁰
192. Witnesses also confirmed that **Meas Muth** visited cooperatives located in the Ream area to enquire whether further resources were required, and communicated with cooperatives chiefs through written correspondence.⁵²¹ When requests for supplies were made, he personally advised cooperative chiefs to collect the requested items.⁵²² **Meas Muth** also had meetings once a month to discuss “*Angkar*’s new plans” with village chiefs who would then be responsible to pass on his orders to their subordinates at village meetings.⁵²³ He also maintained frequent contact with the supervisors of the worksites, instructing

cooperative chiefs at the Ream slope to attend meetings in Kampong Som City via written requests delivered by his messengers.⁵²⁴

Stung Hav Worksites

193. The worksites at Stung Hav were directly supervised by **Meas Muth**'s subordinates who kept him informed of the construction of the port, pier, and road at that location. Hundreds and possibly thousands of Division 164 cadres were forced to engage in back-breaking labour that lasted for long hours under deplorable conditions. Workers were frequently arrested, tortured, disappeared, and executed because of their presumed enemy status.⁵²⁵
194. To supervise these worksites, **Meas Muth** appointed cadres within his control such as his brother Meas Im,⁵²⁶ Regiment 162 Secretary Iek Manh,⁵²⁷ and, before they were purged, to his deputies, Dim and Chhan.⁵²⁸ Surviving CPK documentation relating to Stung Hav demonstrates **Meas Muth**'s specific knowledge and active participation in the perpetration of these crimes.
195. On 20 February 1976, **Meas Muth** advised Son Sen that in Stung Hav his division had "stopped a 7-horse-power motorboat carrying people, three sacks of rice and two AKs [rifles]. [We] are not sure whether the people are soldiers or [travellers]. [We] are investigating this matter. More report will be sent later when the information is confirmed".⁵²⁹ Later that year, on 9 September, at a meeting of Division 164 Comrades, Son Sen received information about a group of 40 people who discussed an escape plan from Stung Hav due to the conditions therein. The Division 164 Committee had "divided the not-good people and singled them out so that they don't mingle with the good ones".⁵³⁰
196. Son Sen advised the division to interrogate the leader of the group immediately, saying that it "appears to be no gain in separating those who had made the escape to other units. As long as there are enemies amongst them they could still carry out their activities. Their biography shall be well grasped and that they need to be put in group to do farming".⁵³¹ Further, on 24 September 1976, Division 164 Deputy Dim informed **Meas Muth** that "[a]nother two (combatants) had deserted a Unit in Sang Hav, They will be transferred from Unit 63".⁵³²

197. **Meas Muth** also regularly went to Stung Hav on inspections or for meetings from mid-1976⁵³³ until at least 1977⁵³⁴ and, most likely, 1978.⁵³⁵ He was there as often as once a week.⁵³⁶ In some of those visits, **Meas Muth** met with Chinese technicians and guests, staying overnight at the site on a number of occasions.⁵³⁷

PARTICIPATION IN FORCED MARRIAGES & RAPE

198. **Meas Muth** implemented the CPK policy to increase the population through forcing individuals to wed and then consummate their marriage in Kampong Som. The policy was thoroughly explored in the *Revolutionary Flag* and *Revolutionary Youth* magazines⁵³⁸ and broadcast in speeches of Nuon Chea, Khieu Samphan, Ieng Sary, and Pol Pot.⁵³⁹
199. The idea that the Party regulated every aspect of marital arrangements was openly discussed in those publications. For example, a CPK publication dated 2 June 1975 stated that:

When marrying, it is imperative to honestly make proposals to the Organization, to the collective, to have them help sort things out [...] Organizational discipline must be absolutely respected. 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.⁵⁴⁰

200. The motivation behind this policy was likewise publicly propagated by CPK top leaders such as Pol Pot who announced that the CPK “policy to increase the population” was “not yet sufficient when compared to the objective of the Party”, which was to “increase the population to 15 to 20 million within ten to 15 years.”⁵⁴¹
201. **Meas Muth** disseminated this policy in his area of responsibility and instructed his cadres to organise marriages for Division 164 soldiers. For example, in 1978 during a study session held at Ochheuteal beach in Kampong Som **Meas Muth** presented “an annual marriage plan on the number of couples to be wed”.⁵⁴² In that meeting, **Meas Muth** and Division 164 member Ta Nhan “reviewed all the requests that had been made and determined the number of couples to be wed”.⁵⁴³
202. **Meas Muth** then instructed cadres to “review all the marriage requests and marry them off” and explained publicly that this was necessary to achieve the party’s goal to increase the population to 20 million people.⁵⁴⁴ These instructions were followed by Division 164

high ranking cadres who enforced the annual marriage plan within their units.⁵⁴⁵ The Chairman of the Anti-Submarine Section Liet Lan⁵⁴⁶ confirmed that his “plan was to marry off all the members of my unit” and that he had married many of them as ordered by **Meas Muth**.⁵⁴⁷

203. All weddings that took place in Kampong Som during the regime had to be authorised by Division 164 leaders.⁵⁴⁸ **Meas Muth**, as the Division Commander, had the power to not only authorise marriages but also to determine whether a person that had refused to wed would be punished. As stated by soldier Lon Seng:

There were a few arrangements for me while I was in Kampong Som, but I refused because I did not love any of [the women]. [...] Back then, some people who rejected such arrangements were punished, but some were not. [...] Meas Mut understood me as we had served together and had had fun together. That was why I could always get off.⁵⁴⁹

204. While some witnesses deny that marriages in the Kampong Som area were “forced”, their statements often reveal the absolute control the division’s highest echelon had over the pairing process and the lack of free consent from at least one of the parties involved in those arrangements.⁵⁵⁰ Forced marriages were imposed even upon high-ranking cadres such as Liet Lan who was forcibly married to the relative of **Meas Muth**’s deputy Tim Seng.⁵⁵¹ The wedding took place at **Meas Muth**’s place⁵⁵² and was conducted by the Division 164 member in charge of logistics Ta Nhan.⁵⁵³
205. **Meas Muth**’s enforcement of the CPK policies on marriage and family building resulted in forced marriages and mass weddings being conducted in Kampong Som Sector throughout the regime.⁵⁵⁴ As many as 50 to 70 couples were married at the same time,⁵⁵⁵ in weddings sometimes arranged by **Meas Muth**⁵⁵⁶ and presided over by top Navy leaders such as Division 164 Committee Member Ta Nhan.⁵⁵⁷ Many of those ceremonies were conducted in Kampong Som City,⁵⁵⁸ near **Meas Muth**’s house and office.⁵⁵⁹ The right to marry or not to marry a partner of one’s choice was removed for all individuals under **Meas Muth**’s control⁵⁶⁰ causing hundreds of people to be coerced into marriages in the Kampong Som Sector.⁵⁶¹
206. **Meas Muth** failed to take any steps to prevent his subordinates from committing the crimes of forced marriage or rape. Rather, his own personal involvement by ordering,

authorising and organising such forced marriages and forced consummation (rape) in Kampong Som incited his subordinates to further the criminal policy of forcing individuals to marry and engage in sexual intercourse without free consent.

IV. DIVISION 164 (FORMER DIVISION 3) AUTHORITY STRUCTURE

207. **Meas Muth** commanded Centre Division 164, based in Kampong Som from 1975 to 1979, after leading Division 3 in the Southwest Zone.

Division 3 (1973/1974 – July 1975)

208. Division 3 was created in 1973, or by early 1974 at the latest,⁵⁶² as part of the Southwest Zone army.⁵⁶³ It comprised thousands of troops.⁵⁶⁴ Ta Mok, the powerful Southwest Zone Secretary and member of the CPK Standing Committee,⁵⁶⁵ appointed his trusted son-in-law **Meas Muth** as Division 3 Commander (and Political Officer).⁵⁶⁶ Men Nget alias Nget and Long Saroeun (Sarin)⁵⁶⁷ alias Roeun/Rin were **Meas Muth**'s deputies.⁵⁶⁸ However, soon after their arrival in Kampong Som, Saroeun and Nget were demoted from their positions as Division 3 Deputy Commanders and replaced by Hoeng Doeun alias Doem (Dim) and Chey Han alias Chhan (Norng Chhan). Saroeun became Regiment 140 Commander⁵⁶⁹ while Nget remained a member of the Division Committee and a Regiment 20/161 leader.⁵⁷⁰
209. Within Division 3, each military unit received orders from, and regularly reported to, its immediate superior level: the group (around three soldiers) received its orders and reported to the squad (around 12 soldiers), the platoon (more than 30 soldiers) to the company (100-150 soldiers), the company to the battalion (more than 300 soldiers), the battalion to the regiment (around 1,000 soldiers or more), and the regiment and independent battalions to the Division, commanded by **Meas Muth**.⁵⁷¹ The subjects of regimental reports were battlefield news, conduct and discipline of cadres and soldiers, and agricultural and health issues.⁵⁷² Reporting was considered the "absolute" most important duty.⁵⁷³ Reports were made orally, in writing, or over the radio.⁵⁷⁴ Prior to 17 April 1975, **Meas Muth** himself reported to Zone secretary Ta Mok, who then reported to the Centre.⁵⁷⁵ After the capture of

Phnom Penh, **Meas Muth**, as Commander of the Navy and Secretary of the independent sector of Kampong Som, reported directly to the General Staff for military matters and to the Party Centre for sector administrative issues.⁵⁷⁶

210. Prior to the final attack on Phnom Penh which started on 1 January 1975, Division 3 troops fought in Kampot area, Longveak, and other locations along National Road 4.⁵⁷⁷ In early 1975, **Meas Muth** issued orders to his Division 3 troops while fighting for Phnom Penh from his headquarters of Phnum Tmat Pong.⁵⁷⁸ Although Division 3 effectively participated in the capture of Phnom Penh on 17 April 1975 via Thnal Totoeung and Stung Meanchey,⁵⁷⁹ it was never stationed inside the town and remained in the Chom Chau area near Pochentong Airfield.⁵⁸⁰
211. In the hours following the capture of Phnom Penh, the entire Division 3 was transferred to commence garrison duties in the Kampong Som area, leaving the city via National Road 4 using various means of transport.⁵⁸¹ Once in Kampong Som, various Division 3 units were posted at Ream Naval base,⁵⁸² Kang Keng Airport,⁵⁸³ and Ochheuteal.⁵⁸⁴ Division 3 moved its headquarters to Kampong Som city.⁵⁸⁵
212. In Kampong Som, the Division 3 troops were immediately joined by Sector 37 forces, particularly Battalion 386.⁵⁸⁶ These forces were attached to Division 3 and placed under **Meas Muth**'s authority, although they were not formally incorporated into the Division until late July 1975.⁵⁸⁷ **Meas Muth** himself declared that, in May 1975, Division 3 already comprised a subordinate regiment made up of forces from Sector 37.⁵⁸⁸ As Division 3 lacked personnel who were familiar with the islands and ships, Battalion 386 troops stationed at Ream Naval base first helped to operate the boats and defend the islands off the coast, including the distant Koh Tang and Koh Poulo Wai.⁵⁸⁹
213. Before 17 April 1975, Division 3 had three regiments. Nearly all witnesses stated that their numerical designations were 20, 21, and 22,⁵⁹⁰ although some others, including **Meas Muth**, identified these regiments as either 13, 14, 15 or 16⁵⁹¹ or even 31, 32 or 33.⁵⁹² Evidence shows that Regiment 20 comprised at least four battalions – 310, 320, 330 and 370.⁵⁹³ Regiment 21 had authority over Battalions 410 (formerly known as 103 under Sector 33),⁵⁹⁴ 420 (formerly known as 102 under Sector 33),⁵⁹⁵ 430, 480 and likely 415 as well.⁵⁹⁶ Subordinate to Regiment 22 were at least the four Battalions 520, 530, 540, and

550 (sometimes called 560) and possibly Battalion 580 as well.⁵⁹⁷ **Meas Muth** mentioned that, between 17 April 1975 and the creation of Centre Division 164, Division 3 had a fourth Regiment comprising former Sector 37 troops.⁵⁹⁸ In addition, there were some independent battalions, including Battalion 450 (special forces), directly placed under the authority of **Meas Muth**.⁵⁹⁹

Division 164 (July 1975 – January 1979)

214. On 22 July 1975, at a large meeting at the Olympic Stadium in Phnom Penh, Pol Pot announced the formation of the Revolutionary Army of Kampuchea in a speech to 3,000 soldiers.⁶⁰⁰ As part of this reorganisation, some of the zone military divisions were reorganised into nine new Centre divisions,⁶⁰¹ which reported directly to the General Staff and its leader Son Sen, who officially became Minister of Defence shortly after.⁶⁰² Therefore, the former Division 3 from the Southwest Zone formally became Centre Division 164 on 22 July 1975,⁶⁰³ as **Meas Muth** announced to Division 3 and Battalion 386 troops on Koh Tang shortly thereafter.⁶⁰⁴ However, **Meas Muth** erroneously recalled that it was not until the end of 1975 that Division 164 was created.⁶⁰⁵
215. In addition to all former Division 3 soldiers⁶⁰⁶ and the remaining troops from Sector 37 (Battalion 386 in particular),⁶⁰⁷ Division 164 comprised, since its creation, at least 700⁶⁰⁸ (and up to 1,000 – 1,500)⁶⁰⁹ East Zone troops from Sectors 22 and 24 (in particular from Regiment 152), who followed their regiment commander Dim in Kampong Som. Dim became Division 164 First Deputy Commander⁶¹⁰ while **Meas Muth** retained his position as Political Officer and overall Commander of the division,⁶¹¹ although he alone denied it.⁶¹²
216. The Division 164 headquarters were referred to as ‘M-164’,⁶¹³ the ‘Internal or Inner Office’,⁶¹⁴ or simply the “Division Office” or “Ta Mut’s Office”.⁶¹⁵ It was located in Kampong Som city,⁶¹⁶ but its exact location changed over time from the immediate surroundings of Phsar Leu market in town⁶¹⁷ to a slightly more distant area southeast of the market and northeast of the Sokha hotel,⁶¹⁸ in a compound where **Meas Muth** resided.⁶¹⁹ According to contemporaneous documents, between 85 and 319 cadres and combatants worked in M-164 in late 1976⁶²⁰ under Keng and Ieng’s authority,⁶²¹ in addition to soldiers of the Special Unit (Battalion 165, formerly Battalion 450) who were posted nearby.⁶²² The

cinema close to Phsar Leu was used for Division 164 political meetings, study sessions and marriage ceremonies,⁶²³ while other meetings and training sessions were held in Ochheuteal.⁶²⁴

217. After the incorporation of Sector 37 and East Zone forces, Regiments 20, 21, and 22 of Division 3 (also called 13, 14, and 15 or 16)⁶²⁵ were redesignated as Regiments 161, 162, and 163,⁶²⁶ which were commonly called Regiments 61, 62, and 63.⁶²⁷ Those regiments were responsible for garrison on the off-shore islands (Koh Poulo Wai, Koh Tang, Koh Pring, Koh Rong, Koh Rong Samloem, Koh Seh, Koh Thmei and some other minor islands) as well as on the mainland (Kang Keng, Ream, Toek Sap, Stung Hav, Kampong City; and also a distant radar station on Bokor mountain, near Kampot).⁶²⁸ In August 1975, after Division 3 became Centre Division 164, an independent naval unit called Regiment 140 was also formally created and constituted the Navy *sensu stricto*.⁶²⁹ As Division Commander, **Meas Muth** presided over regular meetings between the four regiment commanders and independent battalions.⁶³⁰
218. Each Division 164 regiment was composed of at least three battalions (usually more than 300 members each), each battalion had three or four companies (over 100 members each),⁶³¹ and each company had three or four platoons (more than 30 members each, up to 50)⁶³² and one sapper.⁶³³ Each platoon was divided into three 10 to 12-man squads.⁶³⁴ Subordinate to Regiment 61 were Battalions 611, 612, and 613.⁶³⁵ Battalions 621, 622, 623, and possibly 624 were under Regiment 62.⁶³⁶ Regiment 63 comprised Battalions 631, 632, and 633.⁶³⁷ Regiment 140 (the Navy) had four battalions: 141, 142, 143 and 144.⁶³⁸ In addition, there were six independent battalions placed directly under the authority of **Meas Muth** and his Division 164 committee: Battalions 165 (formerly Special Battalion 450), 166, 167, 168, 169 and 170.⁶³⁹ Similarly to Division 3 (*see above*, para. 209), orders and reports were communicated by and to the Division 164 Committee through the chain of command.⁶⁴⁰
219. According to **Meas Muth** himself, the number of Division 164 soldiers totalled between 10,000 and 12,000 in late 1975.⁶⁴¹ Monthly standing forces statistics provided by Commander **Meas Muth** to Son Sen show that the number of Division 164 troops was 8,728 in May 1976,⁶⁴² 8,716 in July 1976,⁶⁴³ 8,887 in August 1976,⁶⁴⁴ 8,611 in October

1976,⁶⁴⁵ 8,685 in November 1976,⁶⁴⁶ and 8,568 in March 1977.⁶⁴⁷ Each of the Regiments 61, 62 and 63 had 1,450 or more troops, while Regiment 140 comprised more than 1,150 soldiers.⁶⁴⁸ As for the independent battalions, the number varied between 241 and 841 soldiers according to the battalion concerned and the period.⁶⁴⁹ The March 1977 monthly report shows that Division 164 troops outnumbered any other Centre RAK Division, with their troops ranging from 3,528 to 6,096.⁶⁵⁰ The difference in figures provided by **Meas Muth** in interviews in 2001 and those he reported to Son Sen in 1976-1977 might be partly attributable to the purge of Division 164 troops which started in 1975 when 400-700 soldiers captured by the Vietnamese Army were released from Koh Tral (Phu Quoc).⁶⁵¹ Thousands of soldiers were removed from their respective units in Division 164 between April 1975 and late 1978, and were disarmed before being forced to work in various worksites, imprisoned and/or executed.⁶⁵² Others were transferred to reinforce the Division 164 forces,⁶⁵³ which may also partly explain **Meas Muth**'s higher total estimates.

220. Division 164 took over missions assigned to Division 3, and was hence in charge of the DK Navy patrolling the territorial waters (in particular Regiment 140 deployed in Kampong Som and near Koh Kong) of about 200 Cambodian sea islands,⁶⁵⁴ the entire Cambodian coastline; and the mainland area around Kampong Som, which extended from Tuek Sab area in the northeast to Stung Hav port in the northwest, and included, among others, Ream, Kang Keng, Bet Trang, and Kampong Som city itself.⁶⁵⁵ According to 1976 documents issued by **Meas Muth**, in addition to Division 164 troops, **Meas Muth**'s direct authority extended to 8,000 – 9,000 civilians⁶⁵⁶ working in villages and cooperatives of the Kampong Som area.⁶⁵⁷ Contrary to what **Meas Muth** said in an interview,⁶⁵⁸ those people were not only family members of Division 164 soldiers but comprised peasants from the area, 'new people' from Kampong Som City or Phnom Penh as well as disarmed / purged soldiers.⁶⁵⁹ Administratively, the Kampong Som area was an independent sector chaired by **Meas Muth** and directly placed under the Party Centre.⁶⁶⁰ Militarily, the sector controlled by Division 164 has been described as the autonomous Military Zone number 7.⁶⁶¹

221. Division 164 was in charge of the protection and security of the Kampong Som port.⁶⁶² The port and the kerosene refinery workers themselves were hierarchically placed under Thuch Rin alias Krin, from the Ministry of Commerce,⁶⁶³ from the moment he arrived in Kampong Som in April 1975⁶⁶⁴ until late February 1978 when he was reassigned as DK

ambassador to Hong Kong (and, later on, as the chairman of the Ren Fung company as well).⁶⁶⁵ The evidence shows that **Meas Muth** and his high-ranking subordinates from Division 164 named (Long) Saroeun, Sok Pheap and Suong, fully controlled the Kampong Som Port and its workers from at least late February 1978 until the arrival of the Vietnamese in early January 1979.⁶⁶⁶ In addition, as regards the management of the Kampong Som sector itself, **Meas Muth** was the secretary of the “Kampong Som Town CPK Committee”, and was therefore superior to Krin (deputy secretary) and Launh (member, from the State fisheries).⁶⁶⁷

222. As Commander of a Centre Division and therefore as member of the General Staff Committee (and later deputy),⁶⁶⁸ **Meas Muth** had authority regarding the Cambodian territorial waters over all zone army divisions deployed on the mainland along the sea shore, in particular Division 1 in the West Zone.⁶⁶⁹

Division 164 Committee

223. The composition of Division 164 varied over time due to the successive purges conducted by **Meas Muth** and the General Staff / Party Centre within the Division.⁶⁷⁰ In July 1975, when Division 164 was created, the Committee was composed of **Meas Muth**, Commander; Dim, First Deputy Commander;⁶⁷¹ Chhan, Deputy Commander;⁶⁷² Men Nget (also Commander of Regiment 61)⁶⁷³ and Mom Chim alias Yan (also Regiment 63 Commander),⁶⁷⁴ members. Except for **Meas Muth**, these high-ranking cadres were all arrested, transferred to S-21 between late 1976 and mid-1977, and then executed after their confessions were deemed complete: Chhan was the first to enter S-21 for treason in around October 1976,⁶⁷⁵ followed by Dim on 21 April 1977,⁶⁷⁶ Yan on 28 April 1977⁶⁷⁷ and Men Nget in early June 1977.⁶⁷⁸

224. In the period following these purges, at least three other high-ranking cadres were part of the Division 164 Committee:

- (a) Long Saroeun alias Roeun/Rin (formerly Division 3 Deputy Commander,⁶⁷⁹ Regiment 140 Commander),⁶⁸⁰ Division 164 Deputy Commander from mid-1977 until he was assigned to be Kampong Som Port Chairman in June or July 1978;⁶⁸¹

(b) Kim Nhan alias Nhan (also Regiment 63 Commander), Division 164 Committee member or Deputy Commander in charge of logistics / economics, from mid-1977 or early 1978 until November or December 1978,⁶⁸² the moment when he was sent to Kratie by **Meas Muth** to replace the purged Division 117 Commander;⁶⁸³

(c) Tim Seng alias Seng, Deputy Commander then Commander of Regiment 140, who replaced Ta Saroeun as Division 164 Deputy Commander when the latter was officially nominated Chairman of the Kampong Som Port instead of Thuch Rin alias Krin in June or July 1978;⁶⁸⁴ at that time, he was acting Division Commander when **Meas Muth** was away in Phnom Penh or near the Vietnamese front line (including in Kratie),⁶⁸⁵ however, **Meas Muth** continued to issue his orders to the division through Seng during that period.⁶⁸⁶

225. As the purges progressed within the Division, the role played by **Meas Muth**'s younger brother Meas Im (Oem),⁶⁸⁷ although he was not formally in the division committee, became more important: **Meas Muth** gave him logistics responsibilities for the entire Division 164. In addition to the role he played in the Stung Hav Committee, he was responsible for building Ochheuteal dam and the Kang Keng worksites (rice fields and Put Thoeung dam).⁶⁸⁸

Composition and Role of Regiments 161, 162, 163 and of the Navy (Regiment 140)

a) Regiment 161 (formerly Regiment 20)

226. Leaders of Regiment 161 were constantly reshuffled, which renders it difficult to determine the exact periods during which its various commanders exercised their authority over the troops.⁶⁸⁹ After 17 April 1975, Tim Seng was the Regiment 20 Commander⁶⁹⁰ until August 1975, when he became Deputy Commander of the newly-created Regiment 140 in Division 164.⁶⁹¹ As far as his activities as Division 164 Committee member permitted, Men Nget continued to play a leadership role in Regiment 20/161 as Commander or Political Commissar after 17 April 1975; he was arrested and transferred to S-21 in June 1977.⁶⁹²

227. Later on, two other cadres became Regiment 161 Commanders: Mao(t) Son alias Son, the former Battalion 370 Commander in Division 3;⁶⁹³ and Sok Pheap.⁶⁹⁴

228. The core tasks of Regiment 161 troops were to defend the coastline and control the islands of Koh Kong and Koh Rong (Koh Rong Thom and Koh Rong Sanloem).⁶⁹⁵ The Regiment 161 headquarters were in Ochheuteal until 1976.⁶⁹⁶ Once the Party Centre decided to build a military harbour in Stung Hav starting in 1976, the Regiment 161 headquarters were relocated there, which facilitated the coordination and surveillance of the labour of hundreds of Division 164 purged soldiers.⁶⁹⁷
229. Although Regiment 20 comprised at least Battalions 310, 320, 330 and 370 between 17 April 1975 and August 1975,⁶⁹⁸ Regiment 61 included only three battalions: Battalions 611, 612 (formerly 370), and 613.⁶⁹⁹ This can be explained by two factors: about 300 Battalion 310 soldiers were disarmed and purged after their release by the Vietnamese Army from Koh Tral in mid-1975, while some other Regiment 20 troops incorporated the newly formed Navy (Regiment 140).⁷⁰⁰ Where Regiment 161 was usually referred to as “61”, Battalions 611, 612 and 613 were sometimes called “1”, “2” or “3”.⁷⁰¹
230. The investigations into this case did not reveal who the leaders of Battalion 611 were. Long Phansy succeeded Mao Son as the commander of Battalion 612 until 1977 or 1978.⁷⁰² This battalion was stationed at Stung Hav.⁷⁰³ Lan was Battalion 613 Secretary⁷⁰⁴ and Sek Hieng or Sek Phieng was Deputy Secretary.⁷⁰⁵ A cadre named Yeang was described as being first a Battalion commander in Regiment 61, before his transfer as Commander of Regiment 162.⁷⁰⁶ Vanni and Pheng were other battalion leaders (mortar unit) in Stung Hav.⁷⁰⁷

b) Regiment 162 (formerly Regiment 21)

231. Iek Mienh (or Moeun/Meanh/Manh/Meahk) was the First Commander of Regiment 21/162 after 17 April 1975,⁷⁰⁸ and Son was his deputy.⁷⁰⁹ After Meanh was transferred out of Regiment 162 in 1976 (and imprisoned at Toek Sap security centre),⁷¹⁰ Son served as the interim Commander of Regiment 162 until Yeang (or Yang) became the Commander and Saroeun the Deputy Commander.⁷¹¹ S-21 records also indicate that a cadre named San Seab alias Sam had been Deputy Secretary of Regiment prior to his arrest in April 1977.⁷¹²
232. Regiment 162 comprised Battalions 621, 622, 623 and 624,⁷¹³ while the previous Regiment 21 denominations were 410, 415, 420, 430, 450 and 480.⁷¹⁴ Immediately after 17 April 1975, this regiment was first headquartered near Ream⁷¹⁵ and its soldiers were deployed to islands close to Ream and to various distant southern islands including Koh Poulo Wai

Chas, Koh Poulo Wai Thmei, Koh Tang, Koh Pring (and, for a couple of weeks, the disputed Koh Krachak Ses).⁷¹⁶ After the redesignation of Regiment 21 as Regiment 162 in July-August 1975, Infantry Regiment 162 controlled the distant southwestern islands of Koh Tang, Koh Poulo Wai (Thmei and Chas – new and old), Koh Pring, Koh Veal (Ver) and a number of smaller islands.⁷¹⁷ It was headquartered at Koh Tang Island.⁷¹⁸

233. Battalion 480 became Battalion 621 following redesignation.⁷¹⁹ Nop Norn was Battalion 621 Commander until he was arrested in May 1977.⁷²⁰ After he disappeared, Svay Sameth alias Met, his deputy, became Commander in mid- to late-1977.⁷²¹ Battalion 621 troops were first deployed to Ream and various islands before settling on Koh Poulo Wai Thmei,⁷²² where it was headquartered.⁷²³ At Koh Poulo Wai Thmei, Battalion 621's four companies received captured boats and crew.⁷²⁴
234. Yeun alias Yoeun was the original Commander of Battalion 622⁷²⁵ until Samnang replaced him in around late 1975.⁷²⁶ According to Witness Nop Hal, Soeun was the Battalion 622 secretary at some point.⁷²⁷ Battalion 622 comprised three companies⁷²⁸ which were stationed on Koh Poulo Wai Chas.⁷²⁹ The procedure of seizing boats on Koh Poulo Wai Chas entailed the battalion reporting to Regiment 62 at Koh Tang, and then the regiment reporting to the division via their port.⁷³⁰
235. Torn, Koem Men and Samnang alias Kauv were the main leaders of Battalion 623 (which included former Battalion 420).⁷³¹ Although Koem Men stated that Samnang was the commander and Torn and himself were his deputies, two other witnesses declared that Torn was the battalion commander with Koem Men as deputy.⁷³² Battalion 623 was stationed mainly at Koh Pring, Koh Ver, and Koh Tang islands.⁷³³ Witness Nop Hal claimed that Regiment 62 also encompassed another battalion based on Koh Tang, namely Battalion 624, commanded first by Nhan, then Chum.⁷³⁴

c) Regiment 163 (formerly Regiment 22)⁷³⁵

236. Immediately after 17 April 1975, Yan was the commander, Sras the Deputy Commander and Nhan the member of Regiment 22/63.⁷³⁶ Yan, also a Division 164 Committee member since its creation, was arrested and transferred to S-21 on 28 April 1977 (*see above, Division 164 Committee*);⁷³⁷ Sras was similarly arrested.⁷³⁸ Sin Chorn replaced Yan as Regiment 163 commander before Yan's arrest, likely in late 1976.⁷³⁹ Despite having killed

people without the authorisation of **Meas Muth**,⁷⁴⁰ Kim Nhan was first promoted to Regiment 163 Deputy Commander under Chorn's authority,⁷⁴¹ then commander⁷⁴² after Chorn himself was arrested in 1977.⁷⁴³ Nhan occupied this position until **Meas Muth** ordered him to go to Kratie to replace the Division 117 Commander who had been arrested and sent to S-21.⁷⁴⁴

237. Regiment 163's headquarters were first located at Kang Keng,⁷⁴⁵ then at Toek Sap until the end of the regime.⁷⁴⁶ Regiment 163 managed the adjacent Toek Sap security centre⁷⁴⁷ as well as the worksites in Ream Commune (including Kang Keng and Bet Trang).⁷⁴⁸ Regiment 163 troops were also stationed on Koh Seh and Koh Thmei islands close to Koh Tral (Vietnam).⁷⁴⁹
238. After 17 April 1975, Battalions 520, 530, 540, 550 (560) and probably 580, were subordinate to Regiment 22.⁷⁵⁰ In July 1975, Battalion 520 was transferred to be part of the new naval regiment (140), Battalion 530 became Battalion 631, Battalion 540 became Battalion 632, and Battalion 550 (560) was then called 633.⁷⁵¹ Most members of these battalions continued to call them by their previous designations.⁷⁵² Battalion 580 was likely absorbed into Battalion 632 after July 1975 as the coconut plantation where it was stationed was in the Kang Keng / Au Mlou area covered by Battalion 540/632.⁷⁵³
239. Most of the soldiers of Battalion 520, which was under Han's control, were incorporated into Regiment 140 at the time of its creation.⁷⁵⁴ Han became the Regiment 140 Commander in late 1978 (*see below, d) Independent Naval Regiment 140*).
240. The Battalion 631(530) Commander was Kung Kien alias Oeng Vet (or usually just "Vet"), who was arrested and imprisoned in S-21 in April 1977,⁷⁵⁵ and Mon was its Deputy Commander.⁷⁵⁶ First stationed at Kang Keng Airfield,⁷⁵⁷ then shortly in Toek Sap in 1975,⁷⁵⁸ the Battalion 631 troops were stationed on Koh Seh from 1976 onwards.⁷⁵⁹ After Oeng Vet's arrest, some Battalion 631 troops were then transferred to the battlefield in the East Zone.⁷⁶⁰
241. The Commander of Battalion 632 (540) was Nhet Sary.⁷⁶¹ Its headquarters were located in Au Mlou near Kang Keng.⁷⁶²

242. Battalion 633 (550)'s Commander was Tep Chhoeun (Witness Mak Chhoeun).⁷⁶³ After being deployed to various islands,⁷⁶⁴ this battalion was posted to Koh Thmei from 1975 and Koh Seh from 1977 (after the arrest of Battalion 631 Commander Vet), until the end of the regime.⁷⁶⁵ **Meas Muth** ordered Battalion 633 (550) to defend these islands and Cambodian waters against any incursion by the Vietnamese stationed close by on Koh Tral (Phu Quoc island).⁷⁶⁶

d) Independent Naval Regiment 140

243. Division 164's naval unit, Regiment 140, operated since July-August 1975, *i.e.* since Centre Division 164 was created.⁷⁶⁷ It comprised soldiers from the three Division 3 regiments, some Sector 37 soldiers, and a contingent from the East Zone.⁷⁶⁸ Regiment 140's core mission was to protect the islands and sea borders through its control of all navy boats and battleships,⁷⁶⁹ which were stationed at various locations.⁷⁷⁰

244. Saroeun was the first Regiment 140 Commander⁷⁷¹ under the immediate authority of **Meas Muth**.⁷⁷² He remained in this position until he became Division Deputy Commander in 1977, after Dim was arrested.⁷⁷³ Sam (from the East Zone) was the First Deputy Commander for a short period of time as he was arrested then forced to make a confession at S-21 as early as July 1976,⁷⁷⁴ well before Saroeun's promotion. Seng was the Second Regiment 140 Deputy Commander from 1975 or 1976.⁷⁷⁵ After Sam's arrest and Saroeun's promotion, Tim Seng officially became Regiment 140 Commander, for about one year starting in mid-1977⁷⁷⁶ and ending with his appointment, after a period of technical training in China,⁷⁷⁷ as Division 164 Deputy Commander in June-July 1978.⁷⁷⁸ After Tim Seng was transferred to the Division 164 Committee, Han was promoted to Commander of Regiment 140.⁷⁷⁹ Moeun (Battalion 141 chief, formerly Special Battalion 450 Commander), Chhav, Chhin Sambath alias Bau and Uoch worked under Han.⁷⁸⁰ However, Witness Pak Sok claimed that Bau became Regiment 140 military Commander towards the end of the regime.⁷⁸¹

245. Ochheuteal port became Regiment 140's command location.⁷⁸² Naval trainings were conducted annually at Ochheuteal for Regiment 140 members, each for three to six months.⁷⁸³ Training focused on machinery, weapons, telecommunications, maintenance, course plotting, and navigation.⁷⁸⁴ The port was used to harbour and prepare military

battleships⁷⁸⁵ and as a place where persons captured at sea were disembarked, including Thai and Vietnamese.⁷⁸⁶

246. Regiment 140 was divided up into four fleets: pursuit, defence, anti-submarine, and minesweeper.⁷⁸⁷ These fleets corresponded to Regiment 140's four Battalions: 141, 142, 143, and 144.⁷⁸⁸
247. Battalion 141 was the Chase Vessel unit,⁷⁸⁹ commanded by Sar Moeun alias Moeun⁷⁹⁰ assisted by Kun Dim, Deputy Secretary,⁷⁹¹ until the latter was arrested on 20 April 1977 in April 1977 and executed at S-21 on 19 September 1977.⁷⁹² Battalion 141 comprised a dozen armed pursuit/floating vessels,⁷⁹³ which were designed to shoot large enemy targets including submarines.⁷⁹⁴
248. Battalion 142, known as the Defense Vessel unit,⁷⁹⁵ was commanded by Kung Sean alias Sang (San),⁷⁹⁶ after Han had been transferred to Battalion 144 and from there to the Regiment 140 Committee.⁷⁹⁷ Kung Sean was also arrested in April 1977 and "died of disease" at S-21 in February 1978.⁷⁹⁸ Battalion 142's defence vessels included former U.S. Patrol Craft Fast or Swift (PCF) boats and Chinese fast attack boats,⁷⁹⁹ which were used to intercept and fight enemies.⁸⁰⁰ The vessels were stationed at Ream port⁸⁰¹ and at various islands rather than at Ochheuteal, including Koh Tang, Koh Kong, and Koh Rong Samloem.⁸⁰² The 12-men PCF boats were modern, fast, and well-armed and engaged in combat and captured many foreign boats found in Cambodian-claimed waters.⁸⁰³ The armed Chinese vessels (30-40 crew members)⁸⁰⁴ were used to attack larger warships as their shells carried almost a ton of explosives.⁸⁰⁵ Whatever the ship type, direct orders from the Division were required for these vessels to attack enemies and capture boats⁸⁰⁶
249. Battalion 143 controlled two anti-submarine ships. Liet Lan alias Nam Lan was its chairman, and Chhorn its other ship leader in 1978.⁸⁰⁷ Previously, Neav Rem (Ren) was the Secretary of Battalion 143 (formerly in Battalion 386),⁸⁰⁸ he was shot dead by **Meas Muth**'s Special Battalion 165 bodyguards, according to Witness Ek Ny.⁸⁰⁹
250. Battalion 144 was under Han's command until mid-1978, when he became Regiment 140 Commander.⁸¹⁰ The Battalion maintained four minesweepers which were brought out to sea after destroying mines in the Mekong river.⁸¹¹ Two were stationed at Kep,⁸¹² and the

rest at Koh Rong Samloem.⁸¹³ Those fast ships were used to protect the sea waters and assist in capturing foreign boats.⁸¹⁴

251. Each of the four Regiment 140 battalions was trained and organised to be responsible for patrol vessels at sea and around the Cambodian islands.⁸¹⁵ The patrol zones were divided and the battalions would take turns to patrol their respective zones.⁸¹⁶

Independent Battalions

a) *Battalion 165 (Special Forces, formerly Battalion 450)*

252. Battalion 165 (formerly Battalion 450 under Division 3) was a Division 164 special and independent unit (also called “Special Forces” or special intervention unit) that reported directly to **Meas Muth** rather than being under the command of a regiment.⁸¹⁷
253. Before the creation of Division 164, Battalion 450 was charged with diverse tasks such as assisting regiments on the battlefield before April 1975, guarding the Kampong Som port warehouses, or being deployed on Koh Tang island between April and August 1975.⁸¹⁸ The new Independent Battalion 165’s tasks were refocused after July-August 1975 on security and defence missions alone: this elite battalion was in charge of the protection of **Meas Muth** at all times, of security at the division headquarters and Kampong Som town, of the management and security of Wat Enta Nhien security centre, and of investigating on and arresting most of the Division 164 combatants who were deemed to be traitors or ‘bad elements’.⁸¹⁹
254. Independent Battalion 165 personnel included **Meas Muth**’s messengers and bodyguards. Statistics provided by **Meas Muth** in late 1976 establish that the Battalion comprised 265 elite soldiers.⁸²⁰
255. Sar Moeun alias Moeun became the first Battalion 450 Commander before 17 April 1975, and continued to hold that position until the creation of Regiment 140 in August 1975 (he was then assigned as Battalion 141 Commander).⁸²¹ Thean, and Em Sun also held leadership roles at the time.⁸²² Battalion 165 leaders after August 1975 included Chhun Lun alias Sam-At alias Sun, Deputy Commander, who entered S-21 in June 1976 after **Meas Muth** reported his case to Son Sen and was executed on 1 October 1976;⁸²³ and Norn, chief

of the Battalion 165 guards posted at the entrance of **Meas Muth**'s house and division headquarters.⁸²⁴

b) Battalions 166, 167, 168, 169 and 170

256. Division 164 also included Independent Battalions 166, 167, 168, 169, and 170, placed under the direct authority of **Meas Muth** and the Division 164 Committee members. This included in particular Kim Nhan alias Nhan, who was responsible for the logistics in 1977-1978 and took care of logistical tasks for the Division, including those relating to artillery, transport, health etc.⁸²⁵
257. Independent Battalion 166, with over 240 soldiers,⁸²⁶ was in charge of the artillery.⁸²⁷
258. Independent Battalion 167 was a unit of more than 400 women including many medics,⁸²⁸ commanded by Neang or Leang as Secretary.⁸²⁹ The battalion included four companies, including two stationed in Stung Hav and one in Otres.⁸³⁰ When there were no patients to treat, Battalion 167 female medics were put to work.⁸³¹ they first helped build Ochheuteal dam until 1976, then harvested rice in Smach Daeng,⁸³² and, in late 1977, moved to Chamkar Trabek to assist in building Stung Hav port.⁸³³
259. Battalion 168 was the largest independent battalion, with 730 to 840 soldiers, and was in charge of transportation.⁸³⁴ There is no clear evidence in relation to its authority structure.
260. Battalion 169 was a military medical/hospital section comprising 320 to 380 members.⁸³⁵
261. Battalion 170 was a lathing/repair unit made up of more than 320 soldiers.⁸³⁶ There was a hundred-member unit within Battalion 170 that cleaned, repaired, and stored Division 164's weapons at Kampong Som.⁸³⁷ Pen Ham was the secretary of Battalion 170 until his incarceration at S-21 on 27 April 1977 and his execution on 14 February 1978.⁸³⁸ Nguon Lak(k) alias Sarat was its deputy secretary, but was similarly arrested and imprisoned in S-21 on 28 April 1977 and executed on 13 March 1978.⁸³⁹

V.COMMUNICATIONS

1. INTRODUCTION

262. In the process and aid of carrying out his crimes, **Meas Muth** and those under his command sent and received communications and orders through various methods to and from those in the Party Centre, and to and from those who were his and their subordinates. Communications were sent and received in various ways, including telegraph, telephone, messengers, meetings, two-way radio, one-way radio broadcasts, and publications.

2. INTERNAL COMMUNICATION WITHIN DIVISION 164

263. The evidence detailed below demonstrates the existence of a robust communications system within Division 164 that: 1) provided **Meas Muth** with extensive knowledge of matters within his area of control, including crimes; 2) allowed him and those under his control to issue orders, including orders related to the perpetration of crimes; and 3) allowed him and those under his control to coordinate with others in perpetrating crimes.

264. Division 164 headquarters, where **Meas Muth** was primarily based, was the communications nerve centre for the Kampong Som area and for Division 164. It had its own messengers,⁸⁴⁰ radio operators,⁸⁴¹ and telephone operators,⁸⁴² all of them at **Meas Muth**'s disposal. As Witness Em Sun stated, "M-164 was the division head office, where many sections such as inventory, documentation, courier, and communication sections were located."⁸⁴³ Also within Division 164 headquarters were residential quarters for messengers and a communications training facility where Division 164 troops would attend training on radio communication.⁸⁴⁴ In short, by design, all communications eventually either reached or passed through **Meas Muth**'s Divisional headquarters, where operators and messengers kept **Meas Muth** and other Division 164 leaders fully informed, and distributed **Meas Muth**'s and other Divisional leaders' orders. Division 164 messengers and radio operators personally assigned to **Meas Muth** included Sary alias Khan, Mon, Kol, Yan, and Ngoy.⁸⁴⁵ Witness Heang Reth explained that there were 103 persons at Division headquarters "who were tasked with managing the communication system to the islands, daily commands to the radar, reports, forward commands to the islands and Bokor

Mountain. I think it was called K-1 or Office 1 which was tasked with managing all documents of the division”.⁸⁴⁶

265. In total, Division 164 had approximately 400 personnel with communication duties divided amongst units at the headquarters, regiment, and battalion levels. In November 1976, the Division 164 communications staff comprised 337 messengers, 66 radio operators, and 26 telephone operators.⁸⁴⁷ After the CPK initially took power, Division 3 troops relied on Lon Nol soldiers to instruct them in the use of the telegraph, radio, and signal systems but they soon learned to operate these systems on their own.⁸⁴⁸
266. Almost always, requests, orders, and reports flowed up and down the Division 164 chain of command hierarchically, with **Meas Muth**’s headquarters at the apex.⁸⁴⁹ “[C]ommunication was from the units to the battalions and finally to the division. Orders were issued from the division to the lower units.”⁸⁵⁰ Prum Sarat explained more specifically: “Orders were transmitted from division to regiment, from regiment to battalion, from battalion to company, and from company directly to the personnel.”⁸⁵¹ Pak Sok described the life-cycle of a transmission up and down the chain of command: “Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons.”⁸⁵²
267. On rare occasions, such as during the *Mayaguez* Incident, **Meas Muth** dispensed with the hierarchy and communicated with the engaged units directly.⁸⁵³ Likewise, in an emergency—such as a ship deemed to be entering the territorial waters of Cambodia—units were allowed to skip over the hierarchy if their direct superiors were not available, and report directly to the Divisional headquarters.⁸⁵⁴ However, Regiments and Independent Battalions within Division 164 never received orders other than from Division 164 leaders.⁸⁵⁵
268. This hierarchical reporting structure was consistent across RAK divisions, and generally within the CPK.⁸⁵⁶ The orders that were transmitted almost always initiated with **Meas Muth**; only in his absence would a designated subordinate be allowed to communicate orders to the top levels of the Division:

All of the decisions came from the senior leader. His deputy could issue the orders only when Ta Mut was absent. In the battalion, Han issued the orders. Other people could speak, communicate, or write down the orders, but decision-making was chairman's work. In a case where the deputy chairmen, the members, and chairman were absent, everyone discussed the measures to be taken, but decisions were made by the chairman.⁸⁵⁷

269. Ou Dav stated that while **Meas Muth** would receive some orders from the Party Centre, he also "made decisions by himself. Meas Muth's subordinates did not dare make decisions by themselves."⁸⁵⁸
270. In order for **Meas Muth** to remain continuously informed of matters within Division 164 and within his area of control, Regiment and Independent Battalion commanders were required to make at least daily reports to Division headquarters after receiving and processing reports from the units under their command.⁸⁵⁹ Hing Uch provided a window into the bureaucratic regularity with which reports were conveyed upwards to **Meas Muth** after receiving reports from lower units: "we summarised each point, wrote the important points into the report in the order of their significance, and wrote all of the points into that one report."⁸⁶⁰ These reports were regular, frequent, precise, and inclusive and required to be detailed. Nop Hal explained: "The orders stated clearly that we had to report every detail of our investigations on the sea of Cambodia; those orders were from higher level."⁸⁶¹ These thorough reports would ultimately be conveyed to **Meas Muth** and his deputies, leaving no doubt that **Meas Muth** had extensive knowledge of matters occurring within his area of control: "I reported to a radio operator in the division, who then relayed my report to the the Division Commanders, Ta Mut and Ta Dim."⁸⁶²
271. **Meas Muth** was no passive recipient of these reports. A witness explained, "As the most senior commander in overall charge, Meas Mut wanted to know what happened in the division."⁸⁶³ **Meas Muth** was, in today's parlance, a micromanager of Division 164 as they carried out their crimes:

Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons.⁸⁶⁴

272. **Meas Muth**'s desire to have extensive and comprehensive knowledge of what transpired within his area of authority is reflected in the evidence of the varied topics reported on, from the important to the mundane. Reports covered topics including the military situation,⁸⁶⁵ the numbers of dead and wounded after a battle,⁸⁶⁶ whether boats were captured and people arrested,⁸⁶⁷ problems that occurred in units,⁸⁶⁸ whether plans and assignments were implemented,⁸⁶⁹ logistical problems such as lack of fuel or repair for ships,⁸⁷⁰ construction,⁸⁷¹ rice production,⁸⁷² health problems,⁸⁷³ and "mistakes".⁸⁷⁴ Even when **Meas Muth** was away from Kampong Som Sector, Dim, his deputy, would send him reports to keep him updated.⁸⁷⁵
273. **Meas Muth** continued to give orders *via* radio and telegraph to Division 164 after he was sent to Phnom Penh and then to Kratie. One instance of this occurred when **Meas Muth** gave the order to destroy Division 164 vessels so that the Vietnamese could not use them when they entered.⁸⁷⁶ Indeed, until the very last days of the DK regime, **Meas Muth** either gave orders to Division 164 units by telegram,⁸⁷⁷ or he relayed the orders through Tim Seng, the acting chairperson of Division 164.⁸⁷⁸
274. The reporting structure just described utilised a number of communication methods, including radio, telegrams, telephones, messengers, and meetings, and also conveyed information from a radar system.

RADIO

275. Radio communication was used within Division 164,⁸⁷⁹ and was available shortly after Division 3's arrival in Kampong Som.⁸⁸⁰ Division 164's radio communication headquarters was located at division headquarters and included two to three radio communication operators,⁸⁸¹ including Keng and Kol.⁸⁸² Over time, there were different persons in charge of the radio communication unit, including Kol, Sary,⁸⁸³ and Phal.⁸⁸⁴ Yan and Ngoy were **Meas Muth**'s personal radio operators.⁸⁸⁵
276. The head of the radio communication unit, as well as other radio operators and messengers, would also act as go-betweens for **Meas Muth** and the radio unit, both receiving messages for **Meas Muth** and sending his messages out to the intended recipients.⁸⁸⁶ The Division 164 radio system used call signs to identify particular individuals including **Meas Muth**,

whose call sign was “63”.⁸⁸⁷ In **Meas Muth**’s absence, other cadres such as Tim Seng alias Seng would relay orders to cadres in the field through their own call signals.⁸⁸⁸

277. Multiple radio operators were typically attached to all of the Regiments, and some of the Independent Battalions. Regiment 62 had sixteen radio operators in November 1976.⁸⁸⁹ Radio communication among various units was used throughout the day as needed,⁸⁹⁰ and Regiments and Independent Battalions reported to Division headquarters “from the morning to the night”.⁸⁹¹ “We reported our situation by radio to Meas Mut’s division every day.”⁸⁹² Reports of the communications would then be entered into a log for **Meas Muth** to reference.⁸⁹³
278. Radios were widely dispersed throughout the Kampong Som area and islands. Division 164 vessels were equipped with radios,⁸⁹⁴ through which they reported daily to the Regiment or Division,⁸⁹⁵ and there were also radios on the islands.⁸⁹⁶ Regiment 140’s headquarters on the mainland had two radio operators⁸⁹⁷ and there were also radio stations located at various other places on the mainland. For instance, a radio station was located at Wat Enta Nhien Security Centre for a period, along with a dedicated radio operator and messenger.⁸⁹⁸ This station later moved to Ochheuteal.⁸⁹⁹
279. The radios in the field were always kept on, ready to receive messages, and the units had multiple radios so that if one overheated, another one could be turned on while the first cooled.⁹⁰⁰ There were different types of radios in use, with those on the islands having a range of 25 kilometres.⁹⁰¹

TELEGRAM

280. Division 164 utilised telegram communication,⁹⁰² and Division headquarters provided training for telegraphing.⁹⁰³ **Meas Muth** frequently communicated orders by telegraph from Division 164 headquarters.⁹⁰⁴
281. In addition to Division 164 headquarters, there were a number of telegraph offices throughout Kampong Som Autonomous Sector. For instance, there was a telegraph office near Ochheuteal for Regiment 140, which would communicate with ships and, through the ships, units stationed on islands.⁹⁰⁵ Most Division 164 ships were equipped with one or two

Chinese-made telegraph machines that were used to receive orders and to communicate with other units.⁹⁰⁶

282. Division 164 Regiments and Independent Battalions sent daily telegrams to the division headquarters after collecting and summarising reports from within their area of operation.⁹⁰⁷ Telegrams, as opposed to radio, were also used for the dissemination of information considered sensitive because it could be encrypted through secret codes.⁹⁰⁸ Urgent telegrams were used to disseminate important information such as travel of troops to Kampong Som City to study, boating accidents, bombings, and killings.⁹⁰⁹
283. There was also a telegraph office near Koh Kong port, which would allow for coordination between Division 1 radar and Division 164 ships.⁹¹⁰

TELEPHONE

284. Division 164 had an internal telephone network, whose centre office, led by Keng, was located within the Division 164 headquarters.⁹¹¹ Telephone lines were used for communication between Division headquarters, and Regiment or Battalion Commanders.⁹¹² There were 12 young female cadres at the division telephone office that were trained by the Chinese to operate a switchboard and to repair telephones.⁹¹³ Code numbers attached to various lines on the switchboard were used to connect people.⁹¹⁴ **Meas Muth** had his own extension number on the switchboard, and calls from battalion commanders could be routed directly to him.⁹¹⁵ However, he would often send a messenger to the switchboard office to make outgoing calls for him.⁹¹⁶
285. Cadres in the field used telephone to communicate with Division headquarters and other superiors, and to carry out various functions, such as requesting supplies.⁹¹⁷ For instance, Iek Manh had telephone and telegram equipment in his house in Stung Hav to facilitate communication with **Meas Muth**.⁹¹⁸ At least Regiments 61 and 62, as well as Battalion 169, all had dedicated telephone operators, with Regiment 62 having the largest number of operators at 15 in November 1976.⁹¹⁹ One witness, however, stated that all battalions on the mainland had a telephone line.⁹²⁰ A telephone line also connected Division headquarters to the radar station in Bokor.⁹²¹ There was no regular telephone reporting schedule, it was used on an as-needed basis.⁹²²

MESSENGERS

286. Messengers were a common method of communication within the Division. Division 164 had a messenger unit, and two to four messengers always accompanied **Meas Muth**.⁹²³ “The messenger team was the team who worked nearby and close to Ta Mut all the time.”⁹²⁴ When **Meas Muth** would travel, he would always take a messenger with him.⁹²⁵ “When Meas Mut attended any major meetings or training courses, [his messenger] always accompanied him.”⁹²⁶ Phal, Ieng, Kung, and Mon all served as **Meas Muth**’s personal messengers at various times.⁹²⁷ While Phal was **Meas Muth**’s messenger, he was also in charge of the radio section at the Divisional headquarters.⁹²⁸ Phal would act as a go-between for **Meas Muth** and the radio unit for radio communications coming in from Division 164 field offices, and orders going out by radio to the field offices.⁹²⁹
287. Division 164 Regiments and Independent Battalions had messengers as well.⁹³⁰ A list of forces from November 1976 shows varying numbers of messengers distributed amongst all of the Division 164 Regiments and Independent Battalions except for Battalion 169, with the largest contingent, 65 messengers, attached to Regiment 63.⁹³¹ There were messengers attached to the radar station at Bokor as well.⁹³² Messengers would be used to deliver both oral and written messages, and messages sent by messenger were usually of high importance.⁹³³

MEETINGS

288. Division 3/164 began holding regular meetings almost immediately after their arrival in Kampong Som Sector, where information and orders were conveyed to lower level cadres.⁹³⁴ **Meas Muth** would frequently preside over these meetings.⁹³⁵ “Sometimes the orders were relayed via communication radio. In other cases we were called to attend meetings or trainings where the orders were raised.”⁹³⁶ Division 164 plenary meetings “attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164,”⁹³⁷ were held once a month or once every two months in Kampong Som, which addressed, among other topics, country construction, and defence of the maritime borders.⁹³⁸ These meetings were typically chaired by either **Meas Muth** or his deputy, Dim.⁹³⁹

289. **Meas Muth** also organised and chaired smaller meetings for regiment commanders at his headquarters for “work planning” three times a month,⁹⁴⁰ while battalion commanders also had regular meetings with their regiment commander.⁹⁴¹ Meetings were also organised for battalion, company, and platoon commanders at various locations, and **Meas Muth** would frequently attend even these lower-level meetings.⁹⁴²
290. Indeed, a wide variety of meetings were held. In addition to those already mentioned, there were political training sessions often taught by **Meas Muth** and Dim,⁹⁴³ Party Member and Youth League meetings which discussed topics such as the conflict with Vietnam,⁹⁴⁴ Regiment 140 Navy training sessions,⁹⁴⁵ and “livelihood” meetings.⁹⁴⁶ There were also “special meetings” to discuss topics such as the purge of East Zone members.⁹⁴⁷
291. While meetings did not include all Division 164 cadres at one time, the senior members of units who attended meetings with **Meas Muth** and/or others would typically return and convey the information they obtained to those under their command. Heang Reth explained that he “did not participate in the meetings with Meas Muth directly. The battalion chief directly participated in the meetings with Meas Muth and he passed the information onto [his] unit”.⁹⁴⁸ Information was thus passed on dutifully: “[e]ach representative of the units further conveyed the events to their respective units. However, the message that was further conveyed was not different from the original plan that the division received”.⁹⁴⁹ Similarly, unit leaders would typically gather information from their subordinates before they attended meetings.⁹⁵⁰
292. Meetings were not only held in a variety of places in Kampong Som City and on the islands, but also in other locations in Kampong Som Sector, including Stung Hav,⁹⁵¹ and in Ream.⁹⁵² Battalion and Regiment leaders were sometimes called to meetings or study sessions where they were arrested,⁹⁵³ and at meetings **Meas Muth** and others would sometimes announce the arrests of traitors.⁹⁵⁴

RADAR FACILITIES

293. Division 164 established radar facilities at Bokor Mountain, and Koh Tang, and coordinated with the Division 1 radar station at Koh Kong.⁹⁵⁵ The radar facilities at these locations were operated by dedicated units,⁹⁵⁶ and the one at Bokor Mountain was overseen by Uk Nang.⁹⁵⁷

294. These radar facilities were established to identify foreign ships and planes that navigated in and around Cambodian waters and airspace.⁹⁵⁸ When a foreign ship was detected, the radar facilities would communicate with Division 164 units in order to intercept and apprehend the ship.⁹⁵⁹ (See *VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea.*)

3. COMMUNICATION BETWEEN DIVISION 164 AND THE CENTRE

295. Division 164 was one of the divisions under the control of the Centre.⁹⁶⁰ The General Staff was in overall command of the Centre Divisions and dealt with military affairs, including supply, logistics, arms, personnel, communications, and information.⁹⁶¹ **Meas Muth**, as Division 164 commander, reported directly to the General Staff.⁹⁶² His direct superior was Son Sen, chairman of the General Staff and Deputy Prime Minister in charge of Defence.⁹⁶³
296. There was constant communication between divisions and the Centre, with several contacts each day.⁹⁶⁴ The General Staff used radio to communicate with divisions.⁹⁶⁵ Telephone or telegram was utilised when confidentiality was required.⁹⁶⁶ For example, telegrams were sent to summon commanders to confidential meetings.⁹⁶⁷
297. **Meas Muth** participated in monthly meetings of the General Staff in Phnom Penh to discuss military matters.⁹⁶⁸ For example, on 3 August 1976, **Meas Muth** reported on the deployment of Division 164 forces in Kampong Som and received instructions including to “[s]trengthen and expand both human and weapon forces” in a meeting attended by Son Sen, Vorn Vet, Comrade Dim, and Comrade Nget.⁹⁶⁹ **Meas Muth** has acknowledged attending meetings with Son Sen, but claims they only discussed rice production.⁹⁷⁰ **Meas Muth** also met with CPK leaders in Kampong Som.⁹⁷¹
298. Larger military meetings were held at Olympic Stadium in Phnom Penh and attended by senior CPK figures and military commanders, including those at the division level.⁹⁷² In mid-1977, **Meas Muth** attended a large meeting in Phnom Penh with, *inter alia*, Pol Pot, Ta Mok, Nuon Chea, Son Sen, Sok Chhean, Ieng Phan, Dy, and Thy to discuss the purge of the eastern cadres.⁹⁷³ Meas Voeun testified that division level cadres were called by the Centre to attend meetings where the policies of screening for and sweeping clean enemies were discussed.⁹⁷⁴

299. In addition to meetings,⁹⁷⁵ **Meas Muth** regularly communicated with the Centre by telegram,⁹⁷⁶ telephone,⁹⁷⁷ letter,⁹⁷⁸ and messenger.⁹⁷⁹ Monthly reports to and from **Meas Muth** were occasionally delivered by train.⁹⁸⁰ Many telegrams, letters, and reports of telephone calls sent by **Meas Muth** to Son Sen (Brother 89) were copied to Nuon Chea (Brother Nuon, Grand Uncle or Grand Uncle Nuon), Vorn Vet (Brother 87), Brother Nat, Brother Saom, Seat Chhe (Brother 81), and Brother Tat.⁹⁸¹
300. **Meas Muth** reported to the Centre on topics including: military engagements;⁹⁸² enemy activities and vessels;⁹⁸³ discoveries of internal enemies and subversive activities within units;⁹⁸⁴ growing of rice;⁹⁸⁵ the health of soldiers;⁹⁸⁶ and progress of construction projects.⁹⁸⁷
301. The General Staff issued commands to **Meas Muth** in writing and in person,⁹⁸⁸ including instructions on the need to “absolutely destroy” enemies entering DK waters or territory.⁹⁸⁹ Son Sen forwarded copies of the reports he received from the RAK military divisions to K-1 through its radio communication unit.⁹⁹⁰
302. Reports and telegrams show the RAK implementing instructions from *Angkar* (the Centre leadership) or seeking clarification from the Centre’s political or military leaders.⁹⁹¹ For example, **Meas Muth** reported to Son Sen regarding incidents of firing at and capturing Vietnamese boats and sought advice on what measures to take.⁹⁹²

4. COMMUNICATION BETWEEN DIVISION 164 AND OTHER DIVISIONS

COMMUNICATION BETWEEN DIVISION 164 AND DIVISION 1

303. Division 164 and Division 1 controlled contiguous areas and cooperated so as to not interfere with each other’s responsibilities.⁹⁹³ Division 1 controlled parts of the sea between Cambodia and Thailand, while other parts were controlled by Division 164.⁹⁹⁴
304. Division 1 was based around the Koh Kong region⁹⁹⁵ and used binoculars and radars to scan for illegal fishing boats.⁹⁹⁶ Division 1 and Division 164 shared information in order to facilitate the capture of Thai and Vietnamese boats.⁹⁹⁷ When Division 1 located a target, they contacted Division 164.⁹⁹⁸ Division 1, as a ground force, only had small boats for patrol and transport and did not have any warships to handle naval conflicts.⁹⁹⁹ Military forces under **Meas Muth** thus piloted boats in cooperation with Division 1.¹⁰⁰⁰

305. **Meas Muth** sent orders to the telegram operators at Koh Kong, who then sent the orders back to the ship commanders with instructions regarding how to deal with targeted ships.¹⁰⁰¹ If an incident occurred during joint operations, Ta Soeung would have to discuss this with **Meas Muth** before giving orders to Division 1.¹⁰⁰² After a boat was captured by Division 1, the detainees were sent to Division 164 in Kampong Som.¹⁰⁰³
306. **Meas Muth** also communicated with Soeung by radio regarding the vessels and military forces in Koh Kong.¹⁰⁰⁴ **Meas Muth** occasionally met with Soeung to give instructions to Division 1.¹⁰⁰⁵ Division 164 had a different status to Division 1, as Division 164 was under the Centre while Division 1 was under the West Zone.¹⁰⁰⁶ According to Meas Voeun, **Meas Muth** thus had the authority to advise military units such as Division 1 on operations.¹⁰⁰⁷

COMMUNICATION BETWEEN DIVISION 164 AND DIVISION 117

307. **Meas Muth** held a meeting in Kratie where he announced traitors within Division 117 and called for a change in its leadership.¹⁰⁰⁸ He gained responsibility for Cambodia's eastern border when Vietnamese forces began invading in 1978.¹⁰⁰⁹

VI. INTERNATIONAL ARMED CONFLICT

308. An international armed conflict existed between Cambodia and the Socialist Republic of Vietnam (SRV) from about May 1975 until 6 January 1979, the end of this Court's temporal jurisdiction. Immediately after the Khmer Rouge victory over Lon Nol forces on 17 April 1975, DK deployed its military to guard the DK-SRV land and maritime borders.¹⁰¹⁰ Armed clashes commenced in May 1975 when DK forces seized the Vietnamese islands of Phu Quoc ("Koh Tral" in Khmer) and Tho Chu ("Koh Krachak Seh" in Khmer), kidnapping and murdering the inhabitants.¹⁰¹¹ The Vietnamese retook the islands two weeks later, killing many Khmer Rouge soldiers and taking around 300 prisoner.¹⁰¹² In further retaliation, the Vietnamese captured the island of Poulo Wai in June 1975,¹⁰¹³ returning it a few months later.¹⁰¹⁴ Clashes between the two countries continued into early 1976 on the islands and surrounding waters in the Gulf of Thailand.¹⁰¹⁵
309. On the mainland, DK forces encroached on Vietnamese territory from Ha Tien to Tay Ninh in May 1975,¹⁰¹⁶ and in May and June, disputes erupted along the border, particularly in the

Parrot's Beak area of Svay Rieng Province.¹⁰¹⁷ In November, DK began mobilising its forces to attack Vietnam,¹⁰¹⁸ and in December, they carried out attacks 10 kilometres inside Vietnam in the provinces of Gia Lai-Kontum and Darlac.¹⁰¹⁹

310. Land and maritime border incursions and attacks continued throughout 1976,¹⁰²⁰ with clashes in Monduliri,¹⁰²¹ Svay Rieng,¹⁰²² and Takeo¹⁰²³ provinces. From early February, Vietnamese troops deployed along the Eastern border, particularly in Ratanakiri, Svay Rieng, and Kandal provinces, entering as far as three kilometres into DK territory and engaging in armed clashes.¹⁰²⁴ At the sea demarcation line, Vietnam opened fire whenever DK forces approached, and DK forces were ordered to seize any boat that entered their territory.¹⁰²⁵ Clashes at Phu Quoc island persisted.¹⁰²⁶
311. Fighting continued throughout 1977 along the border and coastal areas,¹⁰²⁷ with arrests of Vietnamese forces occurring every month at Koh Tang and Poulo Wai islands.¹⁰²⁸ In January 1977, DK infantry forces attacked Vietnam's Tay Ninh Province, and the Vietnamese counterattacked.¹⁰²⁹ On 30 April 1977, DK troops again crossed the border and killed hundreds of civilians in Tinh Bien District and in a string of villages in An Giang Province in South Vietnam.¹⁰³⁰ The DK, in turn, attacked border areas using landmines and artillery, rocket, and mortar fire, resulting in the temporary evacuation of two Vietnamese towns, Chau Doc (An Giang Province) and Ha Tien (Kien Giang Province).¹⁰³¹ While both sides had agreed to attempt peace negotiations in June,¹⁰³² these were postponed.¹⁰³³ DK military attacks and encroachments upon Vietnamese territory continued,¹⁰³⁴ and Vietnam responded with intrusions into DK and occasional air strikes.¹⁰³⁵
312. From March to September 1977, the ongoing conflict widened along the border, extending from Ratanakiri to Kampot provinces with particular intensity in Svay Rieng and in the Vietnamese provinces of Kien Giang, Long An, Tay Ninh, Dong Thap, and An Giang.¹⁰³⁶ Vietnamese air strikes continued.¹⁰³⁷ The conflict further escalated on 24 September 1977 when DK launched a large-scale attack into Vietnam, killings hundreds of civilians in villages in Tay Ninh Province.¹⁰³⁸ In response, approximately 20,000 Vietnamese troops¹⁰³⁹ attacked across the border into the East Zone provinces of Kampong Cham, Prey Veng, and 24 kilometres into Svay Rieng.¹⁰⁴⁰ In December, Vietnamese forces backed by air, armour, and artillery support attacked along the border in Kampong Cham, Svay Rieng, Takeo, and

Kampot provinces,¹⁰⁴¹ penetrating up to 30 kilometres into Svay Rieng¹⁰⁴² and inflicting major defeats on DK forces.¹⁰⁴³ DK leaders publicly severed diplomatic relations with Vietnam on 31 December 1977.¹⁰⁴⁴

313. On 6 January 1978, Vietnam withdrew its forces from Kampuchea,¹⁰⁴⁵ but armed clashes continued.¹⁰⁴⁶ In early 1978, DK leaders sent thousands of troops to the border,¹⁰⁴⁷ where they crossed into Vietnam and carried out attacks at locations such as Binh Phuoc, An Giang, Kien Giang, Tay Ninh, Gia Lai, Kon Tum, and Dong Thap provinces.¹⁰⁴⁸ In the attack on the town of Ha Tien in Kien Giang Province in March 1978, the DK brutally killed hundreds of civilians.¹⁰⁴⁹ At sea, **Meas Muth** reported on 20 March 1978 that DK forces had sunk a Vietnamese boat in the vicinity of Koh Khyang island and attacked two others, capturing 76 individuals and transporting them to the mainland.¹⁰⁵⁰ Meanwhile, there were repeated Vietnamese incursions into the DK provinces of Kampong Cham, Svay Rieng, Prey Veng, Kratie, and Ratanakiri, and bombings along the DK-SRV border.¹⁰⁵¹
314. Media reports, witness statements, and testimony demonstrate an increase in the tempo of the conflict between the two countries from mid-1978, particularly in Svay Rieng Province.¹⁰⁵² In October, **Meas Muth** led more than half of the military forces from Regiments 61, 62, and 63 to assist the DK forces already fighting at the border.¹⁰⁵³ Meanwhile, Vietnamese offensives continued with attacks in Kratie Province, the bombing of the coastal city of Kampong Som,¹⁰⁵⁴ and further attacks in Takeo, Kampot, and Kampong Speu.¹⁰⁵⁵ On 25 December 1978, Vietnam sent over 100,000 troops deep into Cambodia.¹⁰⁵⁶ Resistance was ineffective and Vietnamese forces captured Phnom Penh on 7 January 1979.¹⁰⁵⁷

VII. CPK POLICIES RELEVANT TO THE CASE AGAINST MEAS MUTH

315. **Meas Muth** and other members of the joint criminal enterprise implemented various criminal policies designed to maintain the Party leadership in power and advance its political agenda. Two of the most central policies are discussed below: the targeting of perceived political enemies through extrajudicial arrests, detentions, executions, and other forms of persecution, and the exercise of the powers of ownership (enslavement) of vast

numbers of individuals who were forced by the regime to labour in horrendous conditions, to marry, and to procreate.

ELIMINATION OF ENEMIES AND OPPOSITION TO CPK LEADERSHIP

316. 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 individual or group opposed to the DK regime or deemed to be a threat.¹⁰⁵⁸ Such people included those from the “bourgeois”, “feudalist” or “capitalist” classes;¹⁰⁵⁹ those accused of being agents for the CIA, KGB, or Vietnam;¹⁰⁶⁰ those with ties to the Lon Nol regime or foreign countries;¹⁰⁶¹ “April 17” people or “new people”;¹⁰⁶² those deemed to be “bad elements” or “internal enemies” both inside and outside the military;¹⁰⁶³ and foreigners, particularly Thai and Vietnamese or those perceived to be affiliated with either group, such as Khmer Krom, current or former military personnel, civilians, and foreigners travelling within DK territory.¹⁰⁶⁴ The CPK stirred hatred against all of these groups as “traitors” or “the enemy” and emphasised the need to maintain “revolutionary vigilance” against them.¹⁰⁶⁵
317. A vast network of security offices was created that allowed cadres across the country to implement the policy of targeting perceived opponents through summary detentions.¹⁰⁶⁶ “Enemies” were imprisoned and subjected to inhumane conditions, interrogation, torture, and/or execution.¹⁰⁶⁷ None were afforded any form of legal process, as the CPK abolished all judicial and legal structures.¹⁰⁶⁸ Torture and interrogation often involved coerced confessions that implicated others, creating a cycle of extrajudicial arrests and killings.¹⁰⁶⁹ Family members of “enemies” were also frequently eliminated, as they were considered to be part of the “enemy network”.¹⁰⁷⁰ As for the power to decide who should be killed, a 1976 Central Committee decision gave the Zone Standing Committee, the Central Office Committee, the Standing Committee, and the General Staff the power to “smash”,¹⁰⁷¹ which, during the DK regime, referred to extrajudicial execution.¹⁰⁷²
318. The policy of “smashing enemies” and arresting “bad elements” was disseminated *via* the CPK’s internal publications,¹⁰⁷³ speeches of CPK leaders,¹⁰⁷⁴ and meetings at all echelons,¹⁰⁷⁵ and was also advocated and acknowledged in *Revolutionary Flag* and

Revolutionary Youth magazines between 1975 and 1979.¹⁰⁷⁶ Telegrams between various levels of the CPK hierarchy also reported “enemy activity” and details of people killed.¹⁰⁷⁷

319. One of the main ways the CPK eliminated “traitors” and “enemies” was through mass purges coordinated by the Centre.¹⁰⁷⁸ Son Sen and the General Staff Committee, which included **Meas Muth** and the other Centre division commanders, discussed and fully endorsed the Centre’s policy to eliminate internal enemies.¹⁰⁷⁹ They implemented this policy by conducting an extensive purge across the ranks of the RAK, including Divisions 164, 117, and Sector 505.¹⁰⁸⁰ Those suspected of disloyalty or who had bad biographies were labeled “bad elements” and were generally sent to be “re-educated” or “refashioned” in prisons or worksites, while those deemed to be “enemies” or “traitors” were ultimately “smashed”.¹⁰⁸¹

AGRARIAN, ECONOMIC, AND SOCIAL POLICIES

Establishment of Cooperatives and Worksites

320. From 1972, the CPK established cooperatives and worksites in areas under its control¹⁰⁸² and abolished currency and private markets.¹⁰⁸³ 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.¹⁰⁸⁴ The Party’s cooperatives policy sought (i) to attack the economic power of the “land owners and capitalists”;¹⁰⁸⁵ (ii) to disperse, monitor, control, and kill any people opposed to the CPK and the revolution;¹⁰⁸⁶ and (iii) to rapidly increase agricultural production.¹⁰⁸⁷
321. After the CPK gained control of the country, cooperatives and worksites were established nationwide.¹⁰⁸⁸ Civilians and demobilised cadres were forced to work in farming cooperatives,¹⁰⁸⁹ salt fields,¹⁰⁹⁰ worksites to construct irrigation networks and dams,¹⁰⁹¹ airfields,¹⁰⁹² roads, and ports.¹⁰⁹³ Mobile units were created to work on multiple worksites and agricultural cooperatives.¹⁰⁹⁴ Cooperatives and worksites were required to adopt a similar structure and method of operation across the country,¹⁰⁹⁵ and policies regarding issues relating to cooperatives and worksites were disseminated through directives,¹⁰⁹⁶ meetings at all echelons,¹⁰⁹⁷ publications,¹⁰⁹⁸ and radio broadcasts.¹⁰⁹⁹

322. The criminal aspect of the CPK's economic policies lay in the way individuals were treated – the CPK controlled all aspects of their lives, denied workers all fundamental freedoms, forced them to work for no monetary remuneration in often appalling and unhealthy conditions, and simply disposed of those deemed not useful to the CPK's agenda ("no gain in keeping, no loss in weeding out"¹¹⁰⁰). Workers were treated like economic assets rather than human beings. In later years, CPK leaders acknowledged that during the DK regime, Cambodians were compelled to work and "were not free" in the cooperatives.¹¹⁰¹ Indifferent to the human cost, Party leaders set unrealistically high production quotas, demanding that workers produce roughly three times the average annual production of rice of the 1960s.¹¹⁰² These quotas were to be achieved "at all costs".¹¹⁰³
323. Forced population transfers rapidly expanded the population of the cooperatives and worksites,¹¹⁰⁴ where every facet of life was controlled. The CPK dictated people's housing,¹¹⁰⁵ prohibited their movements,¹¹⁰⁶ forced them to work excessive hours to satisfy the high quotas,¹¹⁰⁷ separated family members,¹¹⁰⁸ restricted freedom of expression through various forms of psychological control,¹¹⁰⁹ and provided insufficient food¹¹¹⁰ and inadequate medical care.¹¹¹¹ Backbreaking labour was done almost exclusively without the assistance of machinery.¹¹¹² Anyone who complained, stole food because they were malnourished from the inadequate rations provided, went anywhere without permission, broke a tool or even a spoon, or made any other sort of "mistake" were deemed traitors to the revolution and were harshly punished, even killed.¹¹¹³
324. In an August 1976 meeting with Division and Independent Regiment commanders, Minister of Defence and Chief of the General Staff Son Sen set out the CPK's plan for the army regarding rice production, which was to be implemented by a 40,000-person force.¹¹¹⁴ In numerous General Staff and military meetings, Son Sen and his military commanders, including **Meas Muth**, discussed production efforts, shortages, and other problems faced in trying to meet the Party's ambitious targets.¹¹¹⁵ To achieve the set quotas, **Meas Muth** and the other commanders fully applied the extreme measures being implemented across DK, enslaving civilians and cadres in the areas under their control. For example, civilians and demobilised soldiers were enslaved at Kampong Chhnang airfield under the command of Division 502 Secretary Sou Met.¹¹¹⁶ In **Meas Muth**'s area of authority, civilian workers and demobilised cadres (from Division 164 and other units) who were identified as "bad

elements” were forced to do backbreaking labour in inhumane conditions at the Stung Hav and Ream area worksites.¹¹¹⁷

325. The inhumane treatment meted out by the DK regime was widely known and reported.¹¹¹⁸ CPK leaders at various levels visited worksites,¹¹¹⁹ and food shortages and disease were acknowledged at meetings,¹¹²⁰ in CPK publications,¹¹²¹ and reported to the upper echelons.¹¹²² For example, **Meas Muth** reported that in his area, 17,000 troops and people were transplanting rice but there would be a shortage of 61,000 bushels, and many of the people had fevers because they did not have much rain clothing.¹¹²³
326. Yet despite insufficient food rations at worksites and cooperatives, the Party Centre remained focused on exporting rice to other countries.¹¹²⁴ Much later, Khieu Samphan admitted, “Depriving the people of rice in order to transport rice to the State to meet quotas led to a great loss of life.”¹¹²⁵

Forced Marriage and Rape

327. The Party’s policy to quickly increase the population to 15 to 20 million people led to forced marriage and forced consummation (rape) for the specific purpose of producing future workers and soldiers.¹¹²⁶ The CPK aimed to double or triple the country’s population in a very short time,¹¹²⁷ but birth rates were affected because women had difficulty conceiving due to depressed fertility from stress, starvation, and family separation.¹¹²⁸ Just as the vision for rice production had failed, the CPK’s plan for growing the population was also an abject failure. Nevertheless, it is another clear example of the CPK’s enslavement of the population. Party leaders claimed ownership over the people’s choice of whether and to whom they would marry and their right to bodily integrity, forcing thousands of people to marry and have sexual intercourse without their true consent. This CPK policy is set out in detail in the *Forced Marriage and Rape* section of this Submission.¹¹²⁹

VIII. CRIMES AND CRIME SITES

A. PURGES WITHIN DIVISION 164

1. THE CPK/RAK POLICY TO PURGE THE INTERNAL ENEMIES AND MEAS MUTH'S INTENT TO PURGE THE RANKS OF DIVISION 164

328. **Meas Muth** implemented the Party Centre policy to “re-educate,” “refashion” and to frequently “smash” members of the military that it suspected of being disloyal to the leadership of the Party and labelled them “enemies” or “bad elements”.
329. Minutes of meetings of Son Sen, General Staff chairman, with Centre Division commanders and deputy commanders, record **Meas Muth** and his colleagues expressing their support for Son Sen's plans to purge any perceived enemy hiding within the ranks of the RAK, including Division 164. On 9 October 1976, Son Sen stated that the Party had arrested traitors including Chhouk and Chan Chakrei (Sector 24, East Zone), Men San alias Ya (Northeast Zone secretary) and Keo Meas,¹¹³⁰ and that it was necessary to ensure “that the enemy is unable to bore from within, and [do] whatever needs to be done to make our army clean [...] It is imperative to purge absolutely no-good elements”.¹¹³¹ Following Son Sen's statement, **Meas Muth's** subordinate, Division 164 Deputy Commander Dim, declared, “if you want unsullied faith that the army is clean, it seems not yet to be clean, and it is imperative to follow up with more purges”.¹¹³² **Meas Muth** fully supported the call for more purges of traitors and internal enemies. The meeting minutes recorded that **Meas Muth** told the commanders:

No-good elements or enemies are still camouflaged and infiltrated in the rank and file. The most important factor is the grasp of the everyday ideology of the core organizations. It is imperative to make arrangements to take measures so as to seize the initiative in advance. On this I would like to be in total agreement and unity with the Party. Do whatever needs to be done in not allowing the situation to get out of hand and not to let them strengthen or expand themselves at all.¹¹³³

330. At that same 9 October 1976 meeting, Son Sen's final observations concluded that “no-good elements” of the Centre divisions had to be “absolutely purged.” The meeting minutes also recorded that Son Sen instructed his commanders to distinguish three categories of bad

elements, each of which had a corresponding form of punishment (killing, re-education and refashioning):

It is imperative to purge no-good elements absolutely in the sense of an absolute class struggle. The purge is premised on three principles: - Category 1: The dangerous category: they must be absolutely purged. - Category 2: The ordinary liberal category: they must be educated again and again in our education schools. - Category 3: The category of those who have merely been incited by the enemy, merely believing in the enemy incitement. As a first step, they should undergo refashioning to get them to no longer believe the enemy.¹¹³⁴

331. In March 1977, as the purges accelerated, Son Sen confirmed this 3-part categorical distinction,¹¹³⁵ but insisted that mere political and ideological education was “not enough: it is imperative to continue further with absolute purges” and explained that “each and every one of the traitorous forces in our country is connected to the enemies on the outside”.¹¹³⁶ In an answer to his own rhetorical question, “For what reason are we continuously eliminating one enemy after another?” Son Sen boasted: “It is because we are constantly launching storming attacks on the enemy.”¹¹³⁷
332. Kaing Guek Eav alias Duch testified that purging was an important CPK policy, which reflected the “revolutionary absolutism to build democratic socialism”.¹¹³⁸ The mundane attitude of the Party toward extrajudicial killings of its own soldiers is reflected in the CPK’s Central Committee decision of 30 March 1976. In this notorious decision, the Central Committee delegated the power to “smash” enemies inside and outside the military ranks to the General Staff.¹¹³⁹ **Meas Muth** and the other Centre division commanders, all members of the General Staff committee,¹¹⁴⁰ were explicitly encouraged by Son Sen¹¹⁴¹ and also through the Party Centre publication (*Revolutionary Flag*)¹¹⁴² to identify, purge and, smash “internal enemies”. Within Division 164 however, only **Meas Muth** had the power to decide to smash enemies; he did not delegate that power to any subordinate but blamed (without punishing) Nhan for killing people without his authorisation.¹¹⁴³ Heang Ret mentioned that killing ordinary soldiers was a decision to be made by **Meas Muth** and that his division committee required the approval of the General Staff to kill any battalion commander.¹¹⁴⁴

333. The General Staff meeting minutes list many categories of no-good elements who needed to be purged from RAK Centre Divisions, including Division 164: deserters;¹¹⁴⁵ those who came from Vietnam;¹¹⁴⁶ the children of soldiers, commune chiefs, or policemen who were previously executed;¹¹⁴⁷ those affiliated with external enemies including Vietnam;¹¹⁴⁸ “the status- and rank-conscious”;¹¹⁴⁹ those who opposed the party by committing mistakes such as stealing, sabotaging, poisoning, inciting combatants to drink alcohol, or freely picking fruit to eat;¹¹⁵⁰ those who were “lazy”, “pretended” to be ill, or expressed discontent with the regime;¹¹⁵¹ those who were previously removed from their positions;¹¹⁵² and “those who have not internalized the revolutionary movement and can’t keep up with the rest”.¹¹⁵³ At the 9 October 1976 meeting, Son Sen himself confirmed that those who attack the revolution by trivial activities “such as stealing and speaking in hints that attack the Revolution” belonged to traitorous links.¹¹⁵⁴
334. **Meas Muth** zealously implemented this CPK policy to purge its own military.¹¹⁵⁵ In a telegram to the “Committee M-870”, the Party’s central leadership, on the last day of 1977, **Meas Muth** vowed his 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.¹¹⁵⁶
335. Instructions to follow this policy of purging internal enemies were provided at Division 164 meetings,¹¹⁵⁷ and the evidence proves that the policy was particularly brutally implemented with regard to Division 164. Soldiers from the division were purged *en masse*.¹¹⁵⁸ Those targeted from the division were disarmed and “refashioned” (enslaved) at specific worksites where the living and working conditions were extreme, imprisoned in “re-education centres” (security centres),¹¹⁵⁹ disappeared or were executed.¹¹⁶⁰
336. Official reports show that Division 164 military cadres were purged on a continuous basis.¹¹⁶¹ In the surviving monthly statistical reports sent by **Meas Muth** or by his division, a significant number of Division 164 members are shown to have been purged each month. In the tables of statistics contained in these reports, soldiers who had “disappeared from the units” were identified as “taken”, “removed”, “withdrawn” or “retired”.¹¹⁶² The persons

purged had been identified either through their biographies, because their names were denounced by prisoners under torture in security centres, because they were the subordinates of arrested cadres, or because of the mistakes they had committed.

2. SCREENING THE DIVISION 164 SOLDIERS THROUGH THEIR BIOGRAPHIES

337. In implementating the purge policy, **Meas Muth** put in place procedures to screen the biographies of the troops he commanded in Division 164.¹¹⁶³ Biographies were compiled and analysed in order to track down the ‘bad or no-good elements’ among the military cadres and soldiers.¹¹⁶⁴ Bad or impure biographies were those of soldiers who either had relatives, affiliations or acquaintances that were officials of the former Khmer Republic regime,¹¹⁶⁵ belonged to the upper social classes,¹¹⁶⁶ or had political tendencies (family ties or work relationships with “traitors” who had been arrested and/or had contact with external enemies).¹¹⁶⁷ **Meas Muth** personally forced participants at a study session in Kampong Som cinema to declare in their biographies whether they had been closely associated to Mom Chim alias Yan, a Division 164 Committee member who had just been secretly arrested for treason.¹¹⁶⁸ This screening system was also applicable in other RAK Centre divisions as per Son Sen’s instructions.¹¹⁶⁹
338. In Division 164, it was required that biographies be made on a regular basis for all military personnel (at least at every change of assignment). Once updated, biographies were to be sent up the chain of command to the division headquarters.¹¹⁷⁰ The forms and instructions on how to draft, compile and check these biographies were sent down from Division 164 headquarters.¹¹⁷¹ Each biography included the name of the military cadre, his or her revolutionary name, current position, his or her home address, the date he or she joined the revolution, the social class, political connections and tendencies and past activities of the individual and of all his/her siblings and close relatives.¹¹⁷²
339. Biographies were reviewed at the Division 164 headquarters by expert staff from an Inspection Committee formed by **Meas Muth**,¹¹⁷³ teams of investigators would cross-check the information from multiple sources, and field missions by the Inspection Committee would aim to determine if a soldier had been dishonest.¹¹⁷⁴ Having a bad biography or hiding information in a biography resulted in the disarmament of the soldier,

followed by forced labour (refashioning), or imprisonment in a division re-education centre or security centre. At those centres soldiers were forced to work and often killed.¹¹⁷⁵

340. Analysing biographies was not the only tool at **Meas Muth's** disposal to identify the enemies that had "infiltrated within the ranks"; he also instructed all Division 164 cadres to actively search for such enemies and report their activities.¹¹⁷⁶ As the purges proceeded within Division 164, a general feeling of fear spread throughout the ranks. Everyone feared whether they would be the next person to be removed or killed.¹¹⁷⁷ The permanent terror was well expressed in the parting words of the Division 164 medic Ret, to his friend Sam Saom, upon being sent for re-education in Kampong Som: "If you do not meet me again, tell my parents and relatives that they have killed me".¹¹⁷⁸

3. CATEGORIES OF BAD AND AFFILIATED ELEMENTS WITHIN DIVISION 164 THAT WERE PURGED

341. The various categories of "bad elements" who were purged by **Meas Muth** within Division 3/164 or in military units under his authority are detailed below.

a) Division 3 Soldiers Captured and Detained in Vietnam in 1975

342. Between 300 and 720 soldiers and cadres of RAK Division 3 (mainly from Battalions 310, 386, 410 and 420) were captured by Vietnamese forces on Koh Krachak Ses,¹¹⁷⁹ Koh Poulo Wai Thmei and Koh Poulo Wai Chas and at sea around those islands in late May or early June 1975. Those soldiers were detained for a few months by the Vietnamese as prisoners of war in Koh Tral (Phu Quoc island in Vietnamese).¹¹⁸⁰ Upon their release and return to Kampong Som, they were viewed with distrust by the Division 3/164 leadership who suspected them of having been indoctrinated by the Vietnamese. These released soldiers were not reinstated and were purged,¹¹⁸¹ most were forced to work under strict surveillance and in harsh conditions in mobile units in the fields of Kang Keng and Ream Commune, or in Stung Hav¹¹⁸² while their leaders were accused of betrayal and disappeared.¹¹⁸³ Because they were no longer trusted, the slightest mistake at work would often result in their arrest and imprisonment at Toek Sap security centre.¹¹⁸⁴

b) Deserters / Defectors (throughout the Regime)

343. Division 164 deserters or defectors were regularly arrested by **Meas Muth**'s men throughout the DK regime.¹¹⁸⁵ Those caught were considered to be traitors and were immediately or ultimately executed.¹¹⁸⁶

c) Soldiers "Affiliated" with the former Khmer Republic Regime

344. In conformity with DK policy,¹¹⁸⁷ every effort was made by **Meas Muth** to identify soldiers within Division 3/164 who had ties to the Lon Nol regime. If a biography, or the review of a biography after inspection, indicated that an individual was related to anyone who had worked as a Khmer Republic official (public servant or military), she/he was considered to be an enemy or a "bad element", and was no longer trusted.¹¹⁸⁸ In addition, soldiers who were identified as having been wealthy or "capitalist" were deemed to be affiliated to the Khmer Republic regime and were similarly purged.¹¹⁸⁹

345. Division 3/164 soldiers considered "affiliated" with the Khmer Republic regime either disappeared or were imprisoned and killed, often at Wat Enta Nhien security centre,¹¹⁹⁰ or were forced to labour at worksites, such as Kang Keng and Bet Trang (including the adjacent village of Putthi / Puth Te / Put Thoeung where a dam was built)¹¹⁹¹ under conditions that amounted to enslavement.

d) Perceived "Traitors" within Division 164 and their Networks

346. Those Division 164 personnel who were perceived as internal enemies were taken to security centres such as Wat Enta Nhien, Toek Sap and S-21. At the security centres, they were interrogated under torture in order to obtain detailed confessions identifying purported "networks" of enemies.¹¹⁹² Veteran RAK and CPK leaders were forced to confess to wild conspiracies involving CIA, KGB, and Vietnamese agents and to name all of their associates.¹¹⁹³ Anyone connected to such arrestees by work or family relations was considered part of the "string" and was likely to be arrested as the regime spiralled into self-destructive violence. When cadres were implicated in confessions, arrests would only take place after the unit commander, (e.g., zone secretaries, RAK division commanders and ministers) approved. Commanders were further requested to actively identify additional "traitors" within their respective units and anyone affiliated with "traitors".¹¹⁹⁴

For Division 164, it was the responsibility of **Meas Muth** to screen out, arrest and transfer those cadres implicated, and to purge their entire networks. Most of the highest-ranked cadres purged from Division 164 were transferred to S-21 for in-depth interrogation,¹¹⁹⁵ while their subordinates would be purged in Kampong Som.¹¹⁹⁶

347. Surviving documents show that at least 67 Division 3/164 cadres and combatants were imprisoned, interrogated and executed in S-21 between 7 May 1976 and the end of 1978.¹¹⁹⁷ To avoid any resistance or rebellion of their respective armed units, those selected to be taken to S-21 were usually invited to attend study sessions in either Kampong Som or Phnom Penh. There they were arrested and transferred to S-21.¹¹⁹⁸ **Meas Muth** admitted in a VOA interview, that he knew that some of his subordinates were taken to S-21 by the General Staff after taking part in training sessions in Phnom Penh.¹¹⁹⁹ Some cadres transited by Wat Enta Nhien or Toek Sap security centres before their transfer to S-21.¹²⁰⁰ Among those imprisoned and executed at S-21 were high level cadres from the Division. These cadres were the close associates of **Meas Muth** and other subordinates, including his Deputy Commander, Hoeng Doeun alias Dim,¹²⁰¹ Division 164 committee members Chey Han alias Chhan,¹²⁰² Mom Chim alias Yan (Regiment 63)¹²⁰³ and Men Nget (Regiment 61),¹²⁰⁴ the Division hospital chief Soem Neam alias Sok (Sokh) and his wife,¹²⁰⁵ and commanders, deputy commanders and committee members of regiments,¹²⁰⁶ battalions,¹²⁰⁷ companies and platoons.¹²⁰⁸ Direct subordinates of those cadres and their family members were also considered part of the “traitorous network” and were purged.¹²⁰⁹
348. The purges of all the subordinates of Chey Han alias Chhan (Norng Chhan) and of Hoeng Doeun alias Dim were all the more thorough and systematic as those soldiers did not originate from the trusted Southwest Zone Division 3 placed under **Meas Muth**’s authority since 1973-1974. Rather, these commanders were originally part of Sector 37 (Chhan) and the East Zone (Dim).¹²¹⁰ Purging those commanders was a way for **Meas Muth** to consolidate his power and authority over his troops. Further, the arrest and interrogation of these cadres held minimal risk for any direct implication of **Meas Muth** because they did not belong to his own network.

**THE SECTOR 37 (FORMER BATTALION 386) NETWORK UNDER CHEY HAN ALIAS CHHAN,
DIVISION 164 COMMITTEE MEMBER**

349. Ta Chhan, called either Norng Chhan or Chey Han alias Chhan,¹²¹¹ a Sector 37 committee member in charge of the sector army (before 17 April 1975)¹²¹² which counted several battalions (385, 386, 387 and 388).¹²¹³ Most of Battalions 385, 387 and 388 members were transferred to the West Zone after 17 April 1975¹²¹⁴ while the rest of the Sector 37 troops, mainly Battalion 386, remained under the authority of Chhan in Division 164, and were assigned to guard various islands.¹²¹⁵ Battalion 386 was under the authority of the Division 3 leadership since 17 April 1975 before being formally incorporated into the new Division 164 in July 1975.¹²¹⁶ Until his transfer to Phnom Penh and subsequent arrest, Chhan was the Second Deputy Commander of the Division 164 Committee.¹²¹⁷
350. Norng Chhan was transferred from Division 164 to S-21, undoubtedly with the approval of **Meas Muth**,¹²¹⁸ after a short period of work at the General Staff in Phnom Penh.¹²¹⁹ He was formally arrested by Kaing Guek Eav alias Duch at the request of Son Sen¹²²⁰ and entered S-21 in October 1976.¹²²¹ Following the arrest of Chhan and his confessions under torture at S-21, **Meas Muth** ordered the arrest of the entire former Battalion 386 leadership (e.g., Ta Rem, Ta Yeun, Ta Yean)¹²²² and many other cadres working under Chhan's authority within Division 164, including commanders of companies and platoons. Those targeted disappeared after being called for "study" or convened to "attend a meeting" in Kampong Som or Phnom Penh.¹²²³ Following his confession, former Sector 37 leaders in the West Zone were also arrested as well as the father of Norng Chhan.¹²²⁴
351. Witness Ek Ny stated that Rem, the former Battalion 386 political commissar within Division 164, tried to escape when arrested by bodyguards from **Meas Muth**'s Special Unit and was shot dead in front of Wat Enta Nhien security centre.¹²²⁵ Rem's pregnant wife chose to abort their unborn child after his arrest, as "she wanted to show her loyalty and that she was a true revolutionary, who did not want to have any connection with Rem's blood".¹²²⁶ Like Rem, other Battalion 386 cadres knew too well that an arrest for treason meant imprisonment, torture and execution. Anticipating their own arrest after the purge of former Battalion 386 leaders began, company leaders Thoeun and Bun Than chose to commit suicide on Koh Tang.¹²²⁷

352. In late 1976 or more likely early to mid-1977, **Meas Muth** announced the arrests of CPK and RAK leaders to cadres in several large meetings of Division 164 personnel in Ochheuteal, Stung Hav and Kang Keng. **Meas Muth** claimed that Norng Chhan was arrested because he was a traitor. He also spoke to the arrests and alleged treason of: Koy Thuon alias Thuch, former North Zone secretary and Minister of Commerce; Mes San alias Ney Saran alias Ya, former Northeast Zone secretary; and Division 164 Deputy Commander Hoeng Doeun alias Dim; other important Division 164 cadres (Mom Chim alias Yan and Kung Kien alias Vet or Ing Vet); and former Sector 37 leaders.¹²²⁸ **Meas Muth** read excerpts of Chhan's S-21 confessions before thousands of Division 164 troops,¹²²⁹ including soldiers subordinated to Chhan who had been previously been disarmed by **Meas Muth**'s own special unit.¹²³⁰ Prior to his arrest, Dim also played an audio recording of Chhan's confessions to his subordinates in Stung Hav.¹²³¹
353. In addition to not being trusted anymore within Division 164, former Sector 37 (Battalion 386) troops were also deemed to be traitorous as they were considered part of Chhan's network.¹²³² Therefore, former Battalion 386 was entirely dissolved and the low-ranking cadres or combatants were enslaved and treated inhumanely at forced labour sites, such as Kang Keng,¹²³³ other sites in Ream commune¹²³⁴ or Stung Hav.¹²³⁵ They lived and worked in constant fear of being arrested and executed, as the goal pursued by the Division 164 leadership was to test and screen out any disloyal soldiers by subjecting them to harsh work and life conditions.¹²³⁶ Due to their affiliation to Chhan, the Battalion 386 soldiers were arrested, severely beaten or killed whenever they tried to run away, or failed to complete an assigned task, complained or committed the slightest mistake (such as "stealing" fruit or potatoes because they were starving).¹²³⁷
354. According to Ek Ny, a former Battalion 386 combatant, twenty ordinary single female soldiers, who were working closely with Chhan as cooks, assistants or messengers, were taken to Toek Sap security centre and tortured. The women were addressed as "the contemptible" ("A" in Khmer) and were accused of being Chhan's mistresses. Although he does not know whether and under which circumstances those women were eventually executed, Ek Ny received confirmation from family members of one of those women named Cham that she never returned home after 1979.¹²³⁸

**THE EAST ZONE (SECTOR 22) NETWORK UNDER HOENG DOEUN ALIAS DIM, DIVISION 164
DEPUTY COMMANDER**

355. Soon after 17 April 1975, Centre Division 164, which included all DK naval forces, was formed by combining former Division 3 with some of Chhan's Sector 37 troops, and former East Zone forces under the command of Hoeng Doeun alias Dim ("Dim"),¹²³⁹ including from Independent Regiment 152.¹²⁴⁰ Dim, who was previously a military commander in Sector 22, East Zone,¹²⁴¹ became **Meas Muth's** First Deputy Commander.¹²⁴²
356. Before he was himself arrested, Dim acted under the authority of **Meas Muth** in the conduct of purges of internal enemies within Division 164,¹²⁴³ including within his group from the East Zone. On 9 October 1976, at a meeting where Son Sen stated that some cadres (Chan Chakrei and Chhouk) from the East Zone were traitors,¹²⁴⁴ Dim zealously declared to Son Sen and the other Division and Deputy Commanders that, "From an examination of my forces, some 90 to 95 per cent of them are reliable, those who are loyal to the Party [...] it is imperative to follow up with more purges".¹²⁴⁵ In fact, as early as 15 June 1976, S-21 records show that a group of 11 East Zone soldiers from Dim's former Regiment 152 were imprisoned, including a platoon commander.¹²⁴⁶ They were executed or "died of diseases" in S-21 later in 1976.¹²⁴⁷ Significantly, Sam, the Regiment 140 Deputy Commander who came with Dim from the East, was arrested in early 1976 and was forced to make a confession at S-21 in July 1976.¹²⁴⁸
357. In early 1977, a few months after the arrest of Chey Han alias Chhan, **Meas Muth** approved the arrest of his First Deputy Commander Dim. As confirmed by Kaing Guek Eav alias Duch, "Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head",¹²⁴⁹ and "before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions".¹²⁵⁰
358. S-21 documentation shows that Dim was imprisoned at S-21 at the same time as a large group of other high-ranking cadres of Division 164, including Kun Dim, a mid-level cadre from the East Zone.¹²⁵¹ Hoeng Doeun alias Dim entered S-21 on 21 April 1977 and was executed on 8 December 1977.¹²⁵² Like Chhan and other Division 164 cadres, he was

forced under torture¹²⁵³ to confess to participating in “traitorous activities” and to denounce dozens of “traitorous forces” within Division 164 (and Independent Regiment 152).¹²⁵⁴ Although the date of entry into S-21 is certain, the exact date of his arrest remains undetermined. However, there are indications that he was not immediately transferred to S-21 after his arrest.¹²⁵⁵

359. In mid-1977, **Meas Muth** received the S-21 confession of his deputy Dim and of one of his East Zone subordinates (Kun Dim) and discussed their content with Son Sen. This is established by annotations made by Son Sen on those two confessions in May and September 1977.¹²⁵⁶ Dim’s arrest and treason was then announced by **Meas Muth** himself at some meetings during which the treason of Chey Han alias Chhan and others was divulged. Excerpts of their S-21 confessions were read aloud by **Meas Muth**¹²⁵⁷ who claimed that Dim and others “had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”.¹²⁵⁸ Whether they were present at one of those meetings chaired by **Meas Muth** or learnt it through their hierarchy, all Division 164 cadres and soldiers knew that Dim was arrested and killed because he was considered a traitor by **Meas Muth** and the RAK / CPK leadership.¹²⁵⁹
360. Because subordinates were automatically considered to be “affiliated” or part of the “string” of their military leader,¹²⁶⁰ and because Dim implicated numerous Division 164 cadres and soldiers at S-21,¹²⁶¹ **Meas Muth** ordered the purge of all 700-1,000 East Zone cadres and soldiers within Division 164.¹²⁶² he announced in a meeting that “all soldiers who came from the East Zone were regarded as bad-element soldiers therefore, they had to be removed completely from the division.”¹²⁶³ It is in this context that all Division 164 soldiers from the East Zone who had been sent to China for a technical training were abruptly requested to come back before completing their studies.¹²⁶⁴ Once removed, the former East Zone soldiers who were not immediately arrested and killed were forced to labour at worksites (Ream commune, Kang Keng, Bet Trang, Stung Hav)¹²⁶⁵ in conditions that amounted to enslavement. Many died due to the harsh conditions or punishment and imprisonment.¹²⁶⁶ The situation of the former East Zone contingent of Division 164 worsened as the East Zone itself was targeted. Purges in the East Zone of civilian and military authorities began in 1977 and climaxed in May 1978 when Sao Phim and his

subordinates were accused of treason.¹²⁶⁷ Almost all Division 164 soldiers in the Kampong Som area who originated from the East Zone were ultimately subjected to extrajudicial arrest, imprisonment and/or execution or simply disappeared between mid-1977 and January 1979.¹²⁶⁸ As summarised by Witness Dol Song, “the sweeping clean was done seriously”.¹²⁶⁹

a) Other Ties with Foreign Countries

361. **Meas Muth** stated in an October 2011 interview, “If you oppose me, I will certainly not keep you [...] there are a lot of people who have the idea of opposing the Khmer Rouge regime, like the US and Vietnam. Therefore, there were a lot of their agents infiltrating, who were actively making the regime loose”.¹²⁷⁰ Indeed, Division 164 policy was to purge any soldier who had affiliations with foreign countries or were accused of serving foreign interests (Vietnam, U.S.S.R, Thailand or the U.S.).¹²⁷¹ As explained above, this was the case of the soldiers who returned to Kampong Som upon release by the Vietnamese army after months of detention on Koh Tral.¹²⁷² Suspicion of ties with such foreign countries, particularly Vietnam, also played a major role in the purge of the former Battalion 386 and East Zone troops within Division 164.¹²⁷³ Similarly, soldiers tied to the Lon Nol regime through their family members were often considered to be CIA agents.¹²⁷⁴ Apart from those groups of soldiers, others were still accused of such affiliations.

362. **Meas Muth** supported and took steps to implement the DK policy to smash the internal enemies associated with foreign regimes. This policy is illustrated by the content of the CPK monthly publication *Revolutionary Flag*, which was distributed to every CPK member.¹²⁷⁵ For example, the April 1977 issue of the *Revolutionary Flag* clearly stated the CPK’s position for that year and future years:

as for the enemies that are CIA,” “KGB,” and “Y[uon]” agents [...] 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. By doing this, we will create the preconditions for us to attack the enemy even stronger during 1978, and in future we will achieve additional victories.¹²⁷⁶

363. As developed in *VIII.G. Genocide of the Vietnamese* below, **Meas Muth** and his close subordinates explained in Division 164 meetings that the Vietnamese were the hereditary

enemies (“enemies no. 1”) while internal enemies were the “enemies no. 2”. Anyone supporting the “Yuon” or refusing to implement orders to kill them had to be smashed.¹²⁷⁷

364. Division 164 soldiers who were accused of being spies or having connections with the KGB, the CIA or the Vietnamese, were taken away and disappeared or were taken to security centres (Wat Enta Nhien, Toek Sap or S-21) or to smaller prisons such as Stung Hav where they were mistreated and tortured.¹²⁷⁸ Their family members and close acquaintances were often arrested as well.¹²⁷⁹

365. Interrogation of Division 164 soldiers in Kampong Som aimed at confirming that those arrested were effectively CIA, KGB and ‘Yuon’ agents or at identifying others;¹²⁸⁰ discovering such agents, including among all RAK Centre Divisions, and their networks was also the purpose of S-21 and the obsession of the CPK and RAK leadership.¹²⁸¹

b) *Serious and Minor Offences*

366. Division 164 cadres and soldiers were arrested, imprisoned or executed without any judicial process if they were suspected of committing one or repeated mistakes or offences, including breaching the military discipline, stealing, sabotaging, being lazy, opposing the CPK or taking a stance against the revolution.¹²⁸² Those who committed minor offences were taken to worksites such as Ream, Bet Trang, Kang Keng or Stung Hav for tempering or refashioning.¹²⁸³ The soldiers accused of committing moral offences or other mild or serious ‘wrongdoings’ were arbitrarily imprisoned in security offices such as Wat Enta Nhien or Toek Sap,¹²⁸⁴ which were infamous for their inhumane conditions, the forced labour imposed on the prisoners, the torture inflicted upon serious wrongdoers,¹²⁸⁵ and for the executions at nearby execution sites.¹²⁸⁶ The Division 164 soldiers, who for various reasons were labelled “bad elements” and had previously been disarmed and enslaved for refashioning purposes in worksites, were also arrested and imprisoned in those security centres for any slight additional mistake or were executed.¹²⁸⁷ Like all those arrested and imprisoned in DK, none were allowed any judicial process.¹²⁸⁸ Most of the Division 164 combatants were arrested by the members of the Special Battalion 165 (previously Battalion 450, also called “Special Forces” or special intervention unit). Special Battalion 165 included **Meas Muth**’s messengers and bodyguards and was under the direct and

personal command of **Meas Muth**. The unit was in charge of his security at the division headquarters and of Wat Enta Nhien security office.¹²⁸⁹

367. **Meas Muth** was known to physically beat his own soldiers when they committed mistakes in his presence. For example, he hit a carpenter on the forehead with an axe for an alleged error made in building a house roof in Kampong Som, then prevented anyone to help the wounded man.¹²⁹⁰ Due to his absolute power and renowned bad temper, **Meas Muth** was feared by his Division 164 troops.¹²⁹¹

4. REINTEGRATION OF SOME PURGED SOLDIERS INTO DIVISION 164 ONLY TO FIGHT THE VIETNAMESE

368. As the armed conflict with Vietnam became increasingly serious and threatened the CPK leadership, many Division 164 soldiers who had been disarmed and enslaved at worksites or imprisoned for being “bad elements” or being affiliated to traitors or enemies, although in poor health,¹²⁹² were rearmed by **Meas Muth** and the division leadership in late 1978.¹²⁹³

B. CRIMES COMMITTED AGAINST THOSE CAPTURED BY THE DK NAVY IN WATERS AND ON ISLANDS CLAIMED BY DEMOCRATIC KAMPUCHEA

369. The evidence below demonstrates that **Meas Muth** is individually responsible for the following crimes in relation to those persons captured by Division 164 and Division 1 in waters and islands claimed by the DK: the crimes against humanity of murder, extermination, imprisonment; persecution on political grounds; enforced disappearance and inhumane treatment as other inhumane acts; and the grave breaches of wilful killing, unlawful confinement, torture, and wilfully causing great suffering.

1. OVERVIEW

370. Upon arrival in Kampong Som Autonomous Sector, Division 3 troops were immediately sent by **Meas Muth** to occupy and defend various islands off the coast that were claimed by Cambodia. Those included Koh Rong, Koh Rong Samloeu, Koh Ruessei, Koh Thmei, Koh Ses, the southern islands of Koh Tang, Koh Poulo Wai and Koh Prins.¹²⁹⁴ In May

1975, **Meas Muth**'s forces attacked Vietnamese who were occupying the disputed islands of Koh Krachak Ses¹²⁹⁵ and Koh Tral, kidnapping and murdering the inhabitants.¹²⁹⁶ Troops of former Sector 37 led by Chey Han alias Chhan¹²⁹⁷ (in particular Battalion 386)¹²⁹⁸ were placed under the authority of **Meas Muth** and reinforced Division 3 positions on the islands.¹²⁹⁹ In addition to protecting all of the DK-claimed islands in the Cambodian sea (about 200 in total),¹³⁰⁰ the Navy forces patrolled to ensure no foreigners entered Cambodian waters. **Meas Muth** gave clear instructions regarding any intrusion of foreign boats or ships within those waters: they had to be captured, and if they tried to flee or resist, should be sunk.¹³⁰¹

371. The implementation of these instructions was complicated by the fact that Division 3/164 military units based on the islands received no training with respect to the location of Cambodia's maritime boundaries. They were not told which zones and islands (including Koh Krachak Ses) were under dispute with Vietnam or Thailand or where international waters started.¹³⁰² As a result, the division interpreted their territorial waters broadly and many foreign boats were captured without any certainty they had entered DK waters.¹³⁰³
372. After the creation of Centre Division 164¹³⁰⁴ and the redesignation of Regiments 20, 21 and 22 into Regiments 61, 62 and 63 in July 1975, Regiment 61 troops controlled the islands of Koh Kong and Koh Rong (Koh Rong Thom and Koh Rong Sanloem);¹³⁰⁵ Regiment 62 was posted on the southwestern islands of Koh Tang, Koh Poulo Wai (Thmei and Chas – new and old), Koh Pring, Koh Veal (Ver) and a number of smaller islands;¹³⁰⁶ and Regiment 63 was stationed on Koh Seh and Koh Thmei islands close to Koh Tral (Vietnam).¹³⁰⁷
373. Initially, the regiments and battalions stationed on the islands had only a few former U.S. Patrol Craft Fast or Swift (PCF) boats at their disposal.¹³⁰⁸ After Regiment 140 (the Navy) was set up in July 1975,¹³⁰⁹ China began providing the Navy with supplementary boats and battleships, including chase, defence, anti-submarine vessels, and minesweepers.¹³¹⁰
374. Small vessels belonging to Regiments 61, 62 and 63 were instructed to defend the islands and the coast and to capture small boats entering territorial waters,¹³¹¹ while bigger ships including military ships would generally be chased, destroyed or captured by the Regiment 140 vessels.¹³¹² This necessitated permanent coordination and communication between those entities and the Division 164 headquarters. The Division 164 Committee commanded

by **Meas Muth** played the major role in this communication system, as anything concerning the pursuit of foreign vessels, the use of force, the destruction or capture of foreign vessels, or the fate of the people on board could only be decided by **Meas Muth** or his deputies.¹³¹³

2. DIVISION 164 ORDERS AND COMMUNICATION REGARDING THE CAPTURE OF FOREIGN BOATS / NATIONALS AT SEA

375. A Navy ship could only depart on a mission after an order was received from **Meas Muth** via telegraph or radio-telephone.¹³¹⁴ **Meas Muth** would send the order to the telegraph operators on the island, who then sent those orders to the ship commanders.¹³¹⁵ The commanders of the ships had to get orders from the upper level of the Division before pursuing or capturing vessels.¹³¹⁶ Similarly, the vessel commanders or the chiefs of units based on islands did not have any authority to make decisions by themselves on any boat captured, but had to strictly follow the orders communicated by the division headquarters.¹³¹⁷ For example, Nop Hal testified that when they received the order to capture a boat, they could not refuse to follow the order.¹³¹⁸ Insubordination was punished by death.¹³¹⁹
376. Whenever a Division 164 unit based on an island or a patrolling Navy vessel spotted a foreign boat approaching,¹³²⁰ the commander's instructions were to report this to the next level of authority,¹³²¹ usually the company or the battalion headquarters. Upon receiving the information, the battalion's headquarters in turn reported the presence of the boat to its regiment leadership, who relayed the information to the division headquarters in Kampong Som City.¹³²² **Meas Muth's** orders would then be immediately communicated by radio down through the chain of command to the unit concerned or, in case of emergency, directly to the ships responsible for capturing the foreign vessel.¹³²³ **Meas Muth's** default instructions were that the foreign vessels had to be chased and captured or, if the crew did not cooperate or resisted capture, be attacked and sunk.¹³²⁴
377. After capturing a ship, units then had to wait for orders as to how to proceed, which included orders to take the ships and/or prisoners to islands or to the mainland (Kampong Som Sector).¹³²⁵ Whenever Division 1 soldiers captured a foreign ship in their area of Koh

Kong, they were required to hand over the boat and captives to Division 164 forces who would bring them to Kampong Som.¹³²⁶

378. The fate of the foreign crew and passengers captured (mostly Thai and Vietnamese nationals) was decided on a case-by-case basis by **Meas Muth** himself or by one of his deputies acting on his behalf.¹³²⁷ Because the fate of the foreign people on board largely depended on their citizenship, it was essential that the Division 164 cadres communicating with the division leadership describe in detail whether the people arrested at sea were Vietnamese or Thai.¹³²⁸

379. Depending upon circumstances in which the boat was captured, its flag, and the nationality, status, or number of people aboard, **Meas Muth**'s orders were to:

- (a) execute the crew and passengers, leaving those who jumped overboard in the sea without any assistance,¹³²⁹ and either sink the boat¹³³⁰ or seize the ship,¹³³¹
- (b) detain and transfer the prisoners to one of the surrounding islands before killing them;¹³³²
- (c) transfer the prisoners to the mainland (Ream or Ochheuteal)¹³³³ where they were received by forces under **Meas Muth**'s authority¹³³⁴ and subsequently executed either in the Kampong Som area or at S-21, sometimes after a detention period in a Division 164 security centre,¹³³⁵ or,
- (d) for some Thai fishermen, to release or exchange them for goods.¹³³⁶

380. The Division leadership's orders were given in simple and explicit language, such as "shoot them dead" or "send them to the mainland".¹³³⁷ A witness stated that the orders from Division 164 were generally: "Do what you want. Don't keep them' [...] It would only be a waste of rice".¹³³⁸ Pak Sok recalled that when fewer than 20 Vietnamese civilians were captured at sea, **Meas Muth** ordered that they be killed on the islands or at sea while larger groups needed to be transferred to Ochheuteal for execution.¹³³⁹

381. **Meas Muth** issued orders by radio in relation to the capture of foreign boats.¹³⁴⁰ After fully implementing such orders, the unit responsible for the capture, arrest, transfer, or killing had to report back to **Meas Muth** or his deputies through the same chain of command.¹³⁴¹ As Moul Chhin testified: "They used phrases such as 'It is done.' or 'They have already finished off those people.'"¹³⁴²

382. Communications within Division 164 were mostly conducted by radio for urgent situations,¹³⁴³ or via telegrams for more thorough reports.¹³⁴⁴ For example, telegram reports from battalions based on the islands were sent each evening to the division headquarters through their respective regiment to “summarize the work on all the islands”. Those reports discussed security issues as well as food supplies, health problems, and construction.¹³⁴⁵ Regiment 140 (Navy) also reported to the Division 164 headquarters.¹³⁴⁶ **Meas Muth** reported all security incidents, including the pursuit and capture of foreign vessels, to Son Sen at the General Staff headquarters, either in writing or orally during meetings he regularly attended in Phnom Penh.¹³⁴⁷

3. ROLE OF DIVISION 1 IN ARRESTS

383. Division 1 of the West Zone (not under the authority of **Meas Muth**) conducted operations along the coast of Koh Kong Province.¹³⁴⁸ Its role was to defend the territory along the border in the West Zone.¹³⁴⁹ Division 1 controlled the coastal area bordering Thailand, and therefore had authority over some parts of the sea borders between Cambodia and the international waters between Cambodia and Thailand.¹³⁵⁰ The responsibilities of Divisions 1 and 164 thus partially overlapped. Division 1 had its own motorboats to patrol the maritime boundaries,¹³⁵¹ but Division 1 did not have large naval vessels.¹³⁵²

384. From their land bases, Division 1 monitored the sea for foreign vessels using binoculars and radar. When they located a target they alerted **Meas Muth**, who would then send his orders to Division 164 vessels to capture foreign vessels.¹³⁵³ Sometimes, Division 1 forces themselves captured a foreign boat. When this happened, the unit in question reported the fact to division commander Ta Soeung. He then ordered them to bring the arrestees to Kampong Som Sector,¹³⁵⁴ where they were turned over to the Navy.¹³⁵⁵

4. MEAS MUTH’S ORDERS REGARDING VIETNAMESE NATIONALS

385. The evidence demonstrates that **Meas Muth**’s orders regarding the Vietnamese people captured at sea during the entire period extending from late April 1975 to 6 January 1979, were to: kill them on the spot¹³⁵⁶ or transfer them to islands or mainland to kill them.¹³⁵⁷ **Meas Muth** admitted in an interview that Vietnamese boats were captured about once every three months.¹³⁵⁸

386. Testimonial evidence suggests that the treatment of the Vietnamese people intercepted at sea was indiscriminate. Whether those captured were military or ordinary citizens, young, old, male or female, they were either shot immediately or taken into detention and later killed.¹³⁵⁹ Witnesses and surviving S-21 records demonstrate that the large majority of the Vietnamese captured at sea were ordinary people fleeing their country on small boats.¹³⁶⁰ The number of Vietnamese refugees in each boat varied between a few persons¹³⁶¹ and up to 50 - 70,¹³⁶² with an average of 30 persons.¹³⁶³ The majority of the refugees tried to reach Thailand¹³⁶⁴ while some others claimed that they wanted to reach the Philippines, Singapore or even Taiwan.¹³⁶⁵ Although it was obvious they were not Vietnamese spies or soldiers,¹³⁶⁶ they were all treated as such.¹³⁶⁷ Occasionally, witnesses have said that those captured were Vietnamese soldiers, although a number of these may have been civilians armed to defend themselves.¹³⁶⁸
387. S-21 records show that, from 1976 onwards, Vietnamese nationals arrested at sea and detained in the security centres of Kampong Som Sector were transferred to S-21.¹³⁶⁹ Pak Sok stated that, as early as 1976, **Meas Muth** ordered his troops to kill Vietnamese people whenever they were captured.¹³⁷⁰ Ek Ny confirms in his testimony that “it was the law set up by the upper levels that we had to absolutely smash the Vietnamese race regardless of whether they were just ordinary citizens or fishermen.”¹³⁷¹ The Division 164 leadership taught the Navy soldiers that the Vietnamese were the “Hereditary Enemy” and “Enemy Number One”.¹³⁷² Those Vietnamese enemies, either soldiers or civilians (fishermen and “boat people” fleeing Vietnam towards Thailand were often described as “Vietnamese spies”)¹³⁷³ had to be eliminated either on their boat,¹³⁷⁴ on a nearby island,¹³⁷⁵ in Kampong Som Sector,¹³⁷⁶ or were sent to S-21 to get their confessions extracted and broadcast on the DK radio prior to their execution.¹³⁷⁷ The treatment reserved by **Meas Muth** and his Division 164 subordinates for Vietnamese people arrested at sea is fully consistent with the CPK’s genocidal policy towards the Vietnamese in Cambodia, particularly in the period 1977-1979.¹³⁷⁸ There are no credible accounts of Vietnamese people arrested at sea who were sent back to Vietnam or released. The rare military cadres who claimed that some Vietnamese refugees were released and allowed to continue their journey to Thailand lack credibility on this point.¹³⁷⁹

MEAS MUTH'S ORDERS REGARDING THAI NATIONALS

388. Son Sen called Thailand the “enemy from the west”, capable of conquering the sea and Cambodian land.¹³⁸⁰ In August 1976, **Meas Muth** reported to, *inter alia*, Pol Pot, Son Sen, Ta Mok, and Vorn Vet on the “enemy situation” – noting the increase in Thai fishing vessels from “one or two [to] now in a fleet of 30 to 40 ships”.¹³⁸¹ A month later, he told Son Sen that “there have been major changes” as “Thais have increasingly sneaked into the fisheries in our waters” in convoys of “100 or 150”.¹³⁸²
389. Prum Sarat testified that when Thai boats were spotted, action was taken to pursue or “to stop them”.¹³⁸³ **Meas Muth** ordered that fishing boats from Thailand be seized,¹³⁸⁴ with such seizures occurring regularly.¹³⁸⁵ **Meas Muth** sent and received reports regarding Thai boats being fired upon¹³⁸⁶ and captured;¹³⁸⁷ and Thai nationals being arrested,¹³⁸⁸ killed,¹³⁸⁹ interrogated,¹³⁹⁰ or having jumped/fallen into the sea when their boats were attacked.¹³⁹¹ Those captured were usually male fishermen,¹³⁹² though females were also arrested and interrogated.¹³⁹³ Those who tried to escape **Meas Muth**'s forces were not rescued from the sea.¹³⁹⁴

MEAS MUTH'S ORDERS REGARDING OTHER NON-CAMBODIAN NATIONALS

390. Other Asians and Westerners were also captured at sea or on islands and sent to the mainland before being transferred either to Wat Enta Nhien Security Centre, Kampong Som,¹³⁹⁵ or S-21.¹³⁹⁶ In carrying out Division 164 instructions, the DK Navy captured a number of persons from countries such as Malaysia¹³⁹⁷ and India¹³⁹⁸ in the territorial waters claimed by the DK.¹³⁹⁹ Testimonial evidence and S-21 records establish that these captives were later executed.¹⁴⁰⁰
391. S-21 records and testimonial evidence also prove that a number of Westerners were captured on their boats or sailing ships by the DK Navy under the authority of **Meas Muth**.¹⁴⁰¹ These arrestees were then transferred to S-21 with the approval and facilitation of the Division 164 leadership.¹⁴⁰² In an interview, **Meas Muth** first denied he had any knowledge or gave orders regarding the arrest of Westerners at sea, claiming he had already left Kampong Som for Kratie in February 1978.¹⁴⁰³ However, he later admitted, and the evidence shows, that he was still the Division 164 commander for the rest of 1978.¹⁴⁰⁴ Although he was fulfilling his functions as the General Staff Deputy Commander

and also had other responsibilities in Sector 505 (Kratie area) from mid-to late 1978,¹⁴⁰⁵ **Meas Muth** continued to receive reports from Division 164 and to make decisions in relation to its affairs.¹⁴⁰⁶ When asked what happened to the Westerners arrested at sea in August 1978, **Meas Muth** gave detailed answers, which indicated that he knew what had happened to them. He stated that the Westerners were kept on Bamboo island (Koh Russey) for “two nights, before people from Phnom Penh come to pick them up”,¹⁴⁰⁷ and that this relatively short detention period was due to the fact that Pol Pot, Khieu Samphan and Ieng Sary were afraid that foreign states would learn about their arrest.¹⁴⁰⁸ According to **Meas Muth**, they were detained in “an open, small building”, without walls, “covered by thatch”, they cooked for themselves and “slept on the hammock made with a fishing net”.¹⁴⁰⁹ **Meas Muth** said they were not mistreated or interrogated by Division 164 cadres “because no one could speak English” and that they were free to move around on the island.¹⁴¹⁰ Then, after two nights, they were transferred to Ochheuteal where an English speaking Ministry of Foreign Affairs official picked them up by car or truck and accompanied them to Phnom Penh.¹⁴¹¹ In an attempt to exonerate himself, **Meas Muth** claimed that the commander responsible for the capture of the Westerners’ boat off Koh Tang island in 1978 would have been Dim.¹⁴¹² However, this was obviously a lie intended to hide his own responsibility as Hoeng Doeun alias Dim, Division 164 Deputy Commander, was purged and entered S-21 on 21 April 1977, so could not have been involved. Dim was subsequently executed on 8 December 1977.¹⁴¹³

ARREST AND TRANSFER

392. The people captured at sea who were not immediately killed were arrested by the Navy or the battalion soldiers posted on the DK islands.¹⁴¹⁴ Evidence suggests that there was an order to arrest and capture all those that were intercepted at sea and seize their boat¹⁴¹⁵ (including those that had not yet entered the Cambodian maritime territory).¹⁴¹⁶ Subsequent to their arrest these persons were either executed at sea or transferred to one of the DK islands where they were temporarily detained before their execution or transfer to Kampong Som.¹⁴¹⁷
393. The Vietnamese people arrested at sea were seriously mistreated during their transfer to the islands or to the mainland.¹⁴¹⁸ Pak Sok recalled that for their transfer to the mainland,

the captured Vietnamese were placed in closed compartments of the Navy motorboat to prevent them from resisting. Because the enclosed compartments were very hot, some of them suffered from convulsion and nearly died.¹⁴¹⁹ On 20 March 1978, **Meas Muth** reported that two Vietnamese motor-driven boats with 76 Vietnamese people – young and old, male and female – were captured at Koh Tang island. The people were tied up, and two of them fell into the water (and presumably died). The arrested people were brought to the main land.¹⁴²⁰ Some Vietnamese were beaten upon their arrival at the shore in Kampong Som before being taken away.¹⁴²¹ Witness Ing Chhon also recalls his unit arresting 23 Vietnamese people including an old Vietnamese grandmother, a Vietnamese widow, nine Vietnamese boys, nine Vietnamese girls, and a Khmer couple with their seven-year-old son.¹⁴²²

394. Attacks on Thai fishing boats frequently led to the arrest of the boats' occupants.¹⁴²³ On 9 September 1976, **Meas Muth** recorded two incidents of Thai nationals being captured in the previous seven days.¹⁴²⁴ He reported that a Thai fishing boat was captured in the area off Koh Kong and Koh Sdech on 2 September, with nine crew members arrested while seven others had jumped into the sea.¹⁴²⁵ He also claimed that five Thai nationals and one Cambodian national, captured in a small boat on 5 September, had admitted to being spies.¹⁴²⁶ **Meas Muth**'s reporting of such incidents continued throughout the regime. In a confidential telephone conversation in March 1978, he informed Son Sen that a Thai boat was captured with 21 people on board, three kilometres from Koh Chas island.¹⁴²⁷

395. Witnesses detail the arrest, detention, and transfer of Thai fishermen. For example, Dol Song – a Regiment 140 soldier who worked on a warship – witnessed the arrest of 30 Thai fishermen, who were brought to Poulo Wai island in 1977.¹⁴²⁸ Meu Ret stated that he saw ten Thai fishermen that had been captured and brought to Koh Ta Keav (the island close to Ream) in 1976.¹⁴²⁹ Witness Nou Saroeun was in a children's unit when he saw 25 Thai fishermen being taken to the Durian I plantation in Ream Commune after soldiers had impounded their two boats and confiscated the fish from the boats.¹⁴³⁰ Koch Tuy testified that he and his unit seized a Thai fishing boat off Koh Yar island. Having emptied the boat of its fish, they were ordered by their battalion commander to bring the boat and its occupants to Kampong Som.¹⁴³¹ There they were received by soldiers from Division 164.¹⁴³²

396. The lives of some Thai nationals were spared where they could be used for the purpose of an exchange for goods.¹⁴³³ For example, **Meas Muth** reported to Pol Pot, Nuon Chea, and Ieng Sary in April 1978, that Division 164 had exchanged Thai detainees for three cartons of cigarettes and a bottle of palm oil.¹⁴³⁴ Witness Soem Ny saw 40 Thai fishermen who were detained at Pory Barang (Thma Sa Commune, Thma Bang District, Koh Kong Province) in late 1975 or early 1976. He was told by a member of the sector military that the fishermen people were returned to Thailand after diplomatic negotiations.¹⁴³⁵
397. Similarly, Witness Ou Dav detailed his involvement in two incidents where Thai fishermen were captured and exchanged for goods. In around June 1975, Ou Dav and his unit captured a Thai fishing boat and were ordered to take it to Kampong Som and hand it over to **Meas Muth**'s deputy commanders.¹⁴³⁶ Additionally, they were ordered to keep the arrested Thai fishermen alive in order to exchange them for gasoline.¹⁴³⁷ Later that year, Ou Dav and his unit captured two large fishing boats with approximately 15 Thai nationals on board.¹⁴³⁸ Ou Dav reported the capture via radio to the battalion commander who ordered him to bring the boats to Kampong Som immediately.¹⁴³⁹ The boats and Thai prisoners were then handed over to soldiers under **Meas Muth**'s authority.¹⁴⁴⁰ Ou Dav heard that the detainees were freed in return for gasoline.¹⁴⁴¹ Witness Lay Bunhak stated that while his unit was not involved in the arrest of Thai or Malaysian fishermen, he heard about it on the radio every few months.¹⁴⁴² He stated that soldiers guarding the islands were responsible for the arrests of these people,¹⁴⁴³ a number of whom were sent to the headquarters while others were freed after negotiations with the Thai embassy.¹⁴⁴⁴ Other evidence details how Thai fishermen were released having been first forced to labour at Ream worksites.¹⁴⁴⁵
398. Nop Hal describes the capture of two Westerners, one white man and one black, on a yacht in early 1978, in the Southwest of Koh Poulo Wai. The two Westerners were arrested, transferred through Koh Tang where they were examined, and then sent to Kampong Som Sector.¹⁴⁴⁶

5. CRIMES

MURDER, WILFUL KILLING, AND EXTERMINATION

a) Killing at Sea

399. On 19 March 1978, Division 164 fired at and sank a Vietnamese motor boat one kilometre south of Koh Kyang island. **Meas Muth** reported this event to Son Sen in a confidential telephone conversation on 20 March 1978.¹⁴⁴⁷ On another occasion, a Division 164 soldier witnessed a soldier kill a crying baby by throwing it into the sea.¹⁴⁴⁸ Moul Chhin, a Battalion 386 soldier who was stationed on Koh Rong Sanloem in 1975-1976, stated that most of the time the Vietnamese refugee boats were fired at immediately and sunk so that the people on board would die before being brought in or, alternatively, that they were shot and thrown into the sea.¹⁴⁴⁹ Such killings of Vietnamese fishermen or refugees were confirmed by Pak Sok.¹⁴⁵⁰
400. Pak Sok described the killing of thousands of persons at sea, including Thai fishermen.¹⁴⁵¹ Official reports also record such killings. For example, in September 1977, the chief of Division 164 in Koh Kong, Sim, reported leading the capture of two Thai boats containing fish and fuel. He stated that while some people on the boats jumped into the water, others “were killed [by our brothers]”.¹⁴⁵²

b) Killing on the Islands

401. When people were captured at sea, they were brought to the nearest naval headquarters.¹⁴⁵³ Arrested people brought into the port of Koh Rong Sanloem were killed as soon as they arrived.¹⁴⁵⁴ People captured at sea close to Koh Poulo Wai were usually brought to the island.¹⁴⁵⁵ Detainees were kept in a house close to the dock for two or three days,¹⁴⁵⁶ then divided among the units stationed on the island.¹⁴⁵⁷ Soldiers would be chosen to execute the prisoners who were beaten to death and buried.¹⁴⁵⁸
402. Thousands of people,¹⁴⁵⁹ Vietnamese refugees and Thai, were arrested at sea and brought to Koh Tang island in order to be killed. Some were interrogated.¹⁴⁶⁰ They were detained for a maximum of one night before being executed.¹⁴⁶¹ The victims were bound with ropes and then beaten to death with wooden sticks; infants were struck against trees.¹⁴⁶² They were later buried under coconut trees as fertiliser.¹⁴⁶³
403. **Meas Muth** reported to CPK Centre leaders that between 27 March 1978 and 30 March 1978, 120 Vietnamese people were arrested and shot to death.¹⁴⁶⁴ These victims came from

five boats.¹⁴⁶⁵ Som Soam, a member of Battalion 623 in Regiment 162, witnessed the Navy (Regiment 140) seize a Vietnamese boat and arrest its passengers while he was stationed at Koh Tang during the dry season period between 1977 and 1978.¹⁴⁶⁶ The Navy brought the detained refugees to Koh Tang; they included men, women, and children.¹⁴⁶⁷ Som Soam heard from other soldiers that the Vietnamese were killed afterwards.¹⁴⁶⁸

404. Som Soam also described how, in the same period, a Vietnamese boat was captured by the Navy. The passengers were all civilian, and included men, women and children. They were brought to Koh Tang and executed.¹⁴⁶⁹ Witness Chum Chy stated that, on another occasion, there was an arrest of a boat with seven or eight Vietnamese refugees, which were brought close to the stone port, east of Poulo Wai island. The witness heard later that these refugees were killed.¹⁴⁷⁰ These victims were travelling in small or medium-sized wooden boats and wearing non-military clothing.¹⁴⁷¹
405. In another incident on Poulo Wai Thmei island in April or May 1975, Khmer Rouge forces captured a boat carrying more than 10 Vietnamese refugees, including women and children. They were brought to the eastern side of the island and were housed and fed for two or three days. After their capture, the commander of Battalion 408 “contacted Kampong Som for guidance on the disposition of the refugees. The high command in Kampong Som ordered the commander to kill the refugees. The commander and his deputy carried out the order”.¹⁴⁷²
406. Witness Ek Ny stated that while Vietnamese and Thai prisoners were normally sent to be killed at Kampong Som Sector, **Meas Muth** also “ordered us not to waste gasoline to transport them to Kampong Som [and] told us that we should make them as fertilizer for the coconut trees on the Island.”¹⁴⁷³ Ek Ny was told by unit chiefs: “no need for us to send the captured persons to Kampong Som anymore because brother Division chairman had told us just finish them on site”.¹⁴⁷⁴ Such instructions were followed and executions were carried out on the islands. For example, Dol Song, a Regiment 140 soldier, witnessed the arrest of 30 Thai fishermen at sea in 1977. The fishermen had their arms tied and were brought to Poulo Wai island where they were beaten to death by Division 164 forces.¹⁴⁷⁵

DIFFERENCE OF TREATMENT BETWEEN VIETNAMESE AND THAI PEOPLE

407. Though both Thailand and Vietnam were considered an “enemy”, the Vietnamese and Thai captured at sea were treated differently by **Meas Muth**’s forces.¹⁴⁷⁶ The Vietnamese were considered the “hereditary enemy”:¹⁴⁷⁷ invaders who could not be spared and had to be smashed.¹⁴⁷⁸ This idea was disseminated by the upper level and was followed by the lower echelons.¹⁴⁷⁹ Thai nationals, by contrast, were targeted for arrest, detention and killing, but would also be spared when it was in **Meas Muth**’s forces’ interest to do so.¹⁴⁸⁰

THE MAYAGUEZ INCIDENT

408. The SS *Mayaguez*, a large American civil cargo ship, was captured by Division 3/164 forces on 12 May 1975 in accordance with **Meas Muth**’s instructions.¹⁴⁸¹ The DK claimed it had entered Cambodian territorial waters.¹⁴⁸² The *Mayaguez* was brought to anchor close to Kampong Som Port.¹⁴⁸³ **Meas Muth** ordered that the crew be arrested and brought to Kampong Som, then taken back to their cargo ship.¹⁴⁸⁴ After the *Mayaguez* had been released,¹⁴⁸⁵ Koh Tang island was bombed in reprisals by U.S. helicopters.¹⁴⁸⁶ The Division 3 troops posted on Koh Tang and the American troops engaged in conflict on 14-15 May 1975, causing casualties on both sides. Two helicopters transporting American soldiers were shot down during the fighting.¹⁴⁸⁷ Ek Ny saw the two helicopters crash and the remains of US troops inside one of them.¹⁴⁸⁸ During this period, the troops on Koh Tang communicated with the division headquarters and received instructions from **Meas Muth**.¹⁴⁸⁹ Some American soldiers who did not die in the second helicopter crash were still alive on the island after their troops retreated, while the corpses of those who had been killed were left unattended.¹⁴⁹⁰ Em Sun, a Battalion 450 leader based on Koh Tang, stated that three U.S. soldiers were arrested on Koh Tang island some time after the battle but one was shot dead as he tried to escape. He stated that the two others surrendered, were tied up and brought to the base.¹⁴⁹¹ After his report to the division, **Meas Muth** ordered Em Sun to bring the Americans to Kampong Som.¹⁴⁹² Once in Occheuteal, he handed over the two Americans to the Division 164 Office staff then orally reported the events to **Meas Muth** three days later.¹⁴⁹³ A few weeks later, Em Sun reported that he found the bodies of the two Americans on two different beaches of Kampong Som; both had had their skulls smashed.¹⁴⁹⁴

409. Evidence shows that **Meas Muth** was in full control of the troops posted on the islands and in the Kampong Som area at the time the *Mayaguez* was captured and in the following weeks,¹⁴⁹⁵ despite his claim that he was hospitalised in Phnom Penh at the time.¹⁴⁹⁶

c) Killings in Kampong Som

410. If those captured by naval units were not killed at sea or on one of the islands, they were transferred to the mainland. Depending on the orders, the captured persons would be taken to Ream,¹⁴⁹⁷ or to Kampong Som¹⁴⁹⁸ (Ochheuteal Beach,¹⁴⁹⁹ Division 164 headquarters, or the King's residence).¹⁵⁰⁰ Arrestees who were not yet tied up were bound upon arrival at the port.¹⁵⁰¹ Evidence suggests that some captured Thai people were sent to Ream and were put to work, at least temporarily,¹⁵⁰² before being sent back to Thailand.¹⁵⁰³ Other arrestees were sent to Toek Sap, east of Ream.¹⁵⁰⁴ A witness states that most of the Vietnamese arrestees were brought to Kampong Som and not to the islands.¹⁵⁰⁵ Vietnamese would sometimes be picked up at Ochheuteal by the "internal office" of Division 164 and sent to Kampong Som together with their confiscated valuables and other belongings.¹⁵⁰⁶

411. In some instances, the boats and their passengers were sent to one of the islands for "checking and reporting" before being sent to Kampong Som Sector.¹⁵⁰⁷ Eventually, captured and arrested fishermen, soldiers, refugees and other foreigners were brought to various places on the mainland and executed on Division 164 orders.¹⁵⁰⁸ Captured Vietnamese were systematically executed.¹⁵⁰⁹ Execution sites included the Durian I, Coconut, and Orange plantations,¹⁵¹⁰ which were in close proximity to each other.¹⁵¹¹ A large number of Thai and Vietnamese arrestees were killed there and their bodies subsequently used as fertiliser for orchard trees.¹⁵¹²

412. One witness testified that he saw bones and clothes at a durian plantation. He could recognise the Cambodians by their black clothes, while the clothes of the Thai bodies were in a wide range of colours.¹⁵¹³ Additionally, Lak Saphan saw two soldiers walking a group of four or five people who were tied up towards the Toek Sap durian plantation along National Road 4 in the rainy season of 1975. He says he heard people saying that these people were Thai fishermen captured at sea and that they were being killed there.¹⁵¹⁴ When the witness went back to the durian plantation after 1979, he saw bones and clothes there, which he believes are the remains of the Thai people.¹⁵¹⁵

413. On another occasion, in late 1978,¹⁵¹⁶ three Vietnamese people: an old lady and two adolescents,¹⁵¹⁷ were walked to **Meas Muth** headquarters in Kampong Som city. Witness Mut Mao stated that “those children were crying and screaming”¹⁵¹⁸ and learned that the people “were captured along with their boat from the sea”.¹⁵¹⁹ They were killed just a few metres away from **Meas Muth**’s house near fruit trees.¹⁵²⁰ The witness saw two or three pits in which the Vietnamese were buried.¹⁵²¹
414. **Meas Muth** ordered the execution of Thai nationals at the durian plantation in Kampong Som and their burial under the durian trees as fertiliser.¹⁵²² Ek Ny stated that after Thai people were captured at sea, they were brought to be killed at the durian plantation where their bodies would subsequently be cut into two pieces and buried under the trees.¹⁵²³ Multiple witnesses provide similar evidence of such killings.¹⁵²⁴ In late 1976, Nou Saroeun, who worked in a children’s unit in Ream Commune, saw 25 Thai fishermen who had been captured at sea being walked to a durian plantation.¹⁵²⁵ There, they were were executed.¹⁵²⁶ Nou Saroeun did not witness the execution, but saw burial pits and graves there in 1979.¹⁵²⁷
415. Prom Kem learned from Khmer Rouge naval personnel that a Thai fishing boat with ten people on board had been captured in 1976. He states that the fishermen were taken off the boat, stripped of their clothing, had their arms tied up with hammock string and were taken to the Durian Plantation.¹⁵²⁸ The villagers in the area believed that the fishermen had been killed and buried at the foot of durian trees as fertiliser.¹⁵²⁹
416. Pen Sarin worked at the Ream naval base in 1976 and saw two groups of 15-20 Thai fishermen tied up and taken into one of the barracks buildings on the base.¹⁵³⁰ The fishermen were captured off Koh Tang and Koh Rong islands. Pen Sarin believed that they were executed.¹⁵³¹

d) Killings at S-21

417. Some arrestees captured at sea were transported to S-21 in Phnom Penh and killed.¹⁵³² Both Vietnamese and Thai people were trucked away from Ream by a police/security unit from Phnom Penh.¹⁵³³ Heang Ret, deputy chairman of Unit 4 of Battalion 165 within Division 164, recalls that Vietnamese fishermen who were brought to Kampong Som Port were transported away in Division 164 trucks. He did not know where the trucks were taking them.¹⁵³⁴ Every one or two months, Vietnamese civilians were brought to S-21.¹⁵³⁵ Witness

Prum Sarat frequently heard on the radio of the arrest at sea of Vietnamese refugees, soldiers and fisherman who were sent to the Division 164 Office and then transferred to S-21.¹⁵³⁶ In 1978, a number of Vietnamese people who were captured at sea were transferred to S-21 from Kampong Som to be interrogated in order to obtain their confessions for propaganda purposes.¹⁵³⁷ These confessions were often broadcast over Phnom Penh's national radio.¹⁵³⁸ For example, on 27 March 1978, the confession of a Vietnamese "spy" arrested on 10 February on Poulo Wai island was broadcast.¹⁵³⁹

418. Entire Vietnamese families, including men, women, elderly, adolescents, and children transferred from Kampong Som Sector, entered S-21 in 1978.¹⁵⁴⁰ Not all names of incoming Vietnamese were recorded. The names of elderly and children older than 15 were sometimes omitted from the list of prisoners, while the names of children younger than 15 years old were completely omitted.¹⁵⁴¹ Most of the Vietnamese fishermen were not interrogated but were sent away for execution soon after they were brought to S-21.¹⁵⁴²
419. Witness Kork Sras, who worked as a guard at S-21, testified that he saw Indians, Thais and Vietnamese at S-21 who were executed at Choeung Ek.¹⁵⁴³ He also heard over the radio about the capture of Vietnamese people in the vicinity of Koh Tang and Koh Poulo Wai.¹⁵⁴⁴ This happened almost every month over a period of two years. Arrestees were first sent to the Division and some of them were then sent to S-21.¹⁵⁴⁵ S-21 records also establish that at least 58 Thai fishermen arrested at sea were detained then executed, between May and November 1976.¹⁵⁴⁶
420. With respect to the Western prisoners at S-21, Nuon Chea ordered that "the long nose people had to be smashed" and their bodies "burned completely so that there was no evidence left behind."¹⁵⁴⁷ According to Witness Prak Khan, who worked at S-21, Duch personally interrogated Western prisoners who were later taken to be killed.¹⁵⁴⁸ S-21 records confirm the presence of these Westerners at S-21.¹⁵⁴⁹ Westerners¹⁵⁵⁰ were generally detained separately from other prisoners¹⁵⁵¹ and executed in the vicinity of S-21.¹⁵⁵² Their bodies were burned after their execution, so as not to leave any evidence of their remains.¹⁵⁵³

6. FREQUENCY OF ARRESTS AND KILLINGS

421. Arrests and killings at sea occurred on a regular basis.¹⁵⁵⁴ Accurate estimates of the total killed are not possible as the practice was spread over a long period and large territory. Witness Ek Ny estimates that at least 1,200 or 1,300 Vietnamese and Thai people were killed “at sea by naval forces during that regime”.¹⁵⁵⁵ Apart from the frequent capture of Vietnamese boats (which often had 50-60 passengers), Ek Ny gave the example of four large Thai boats captured during a single incident. According to his estimation, “there were at least 150 people on the four boats.”¹⁵⁵⁶ Hing Uch personally observed the capture of Thai boats once or twice and Vietnamese boats three times.¹⁵⁵⁷ Witness Neak Yoeun stated that he heard about the capture of Vietnamese boats every two or three months but acknowledges that he only heard about some of “those events”.¹⁵⁵⁸ Sao Sam testified he witnessed the capture of boats three times.¹⁵⁵⁹
422. Pak Sok also estimated that thousands of people were captured at sea and sent to Ochheuteal Port.¹⁵⁶⁰ According to Ou Kim, around 1,000 (Thai and Vietnamese) people were killed at Koh Poulo Wai.¹⁵⁶¹ Witness Meas Voeun recalls capturing around 50 to 60 fishing boats but claims that only around ten fishermen were captured because most fishermen jumped into the water to escape.¹⁵⁶² No attempts were made to rescue those who jumped into the water.¹⁵⁶³ According to Meas Voeun, the frequency of captures of Thai boats varied: sometimes two boats were captured in one week and sometimes only one in the whole month.¹⁵⁶⁴
423. Prum Sarat kept a logbook on board his ship about the arrests of Vietnamese boats. He estimated that more than a hundred Vietnamese people were arrested while he was there.¹⁵⁶⁵ He stated that he witnessed the capture of Vietnamese boats twice while he was stationed on Koh Poulo Wai island.¹⁵⁶⁶ He also heard over the radio about the capture of Vietnamese people in the vicinity of Koh Tang and Koh Poulo Wai, which happened almost every month over a period of two years.¹⁵⁶⁷ Prum Sarat also recalled one event where a Thai fishing boat was captured close to Koh Tang. He does not know how many Thai boats were captured in total.¹⁵⁶⁸
424. Shat Chak stated that he saw foreign boats being captured by the Navy fewer than ten times but also acknowledged that he was stationed on one side of Poulo Wai island and did not

know the overall situation.¹⁵⁶⁹ Moul Chhin stated that “there were many captures of fishing boats. Generally, they captured three to four boats per day”. He saw the boats “dropping fishing nets to catch fish” and on average there were about six people on small boats and up to 20 to 30 people on larger vessels.¹⁵⁷⁰

C. DIVISION 164 SECURITY CENTRES

1. SECURITY CENTRE NETWORK

425. **Meas Muth** and Division 164 operated a network of security centres, or “re-education centres” in the Kampong Som region. The most significant of these were the facilities at Wat Enta Nhien¹⁵⁷¹ and Toek Sap.¹⁵⁷² A prison was also operated in Stung Hav.¹⁵⁷³ **Meas Muth**’s subordinates arbitrarily imprisoned Division 164 military personnel and civilians from the Kampong Som autonomous region, as well as Vietnamese, Thai and other foreign nationals captured at sea and on islands claimed by the DK at these sites. The prisoners were detained in grossly inhumane conditions, often tortured, and in most cases ultimately executed, all without any legal process. Division 164 operated Wat Enta Nhien and Toek Sap as part of the wider national DK security system, with some prisoners first detained in these Kampong Som institutions before being transported to Phnom Penh for detention, torture and execution at S-21.

a) Within Kampong Som

426. The fact that all of the Division 164 detention facilities were part of a single organised and interconnected system of DK security centres is exemplified by the fact that former prisoners have described being moved from one facility to another in the course of their “re-education”. Long Phansy, Chief of Battalion 612 until his arrest in 1977 or 1978, was sent to Toek Sap security centre after spending several months in the Stung Hav jail.¹⁵⁷⁴ Similarly, Division 164 transferred former Battalion 386 combatant Moul Chhin back and forth over the course of several days between Toek Sap security centre and Wat Enta Nhien.¹⁵⁷⁵

b) Wider DK Network

427. Some prisoners were detained temporarily in Kampong Som, before being sent elsewhere, usually to S-21. A number of witnesses have described both Wat Enta Nhien¹⁵⁷⁶ and Toek

- Sap¹⁵⁷⁷ as “temporary facilities” used for those destined elsewhere, usually “Phnom Penh”, *i.e.* S-21. Witness Ek Ny described seeing trucks travelling towards Phnom Penh in 1977, with prisoners inside constrained and under armed guard “moaning,” “crying”, and “screaming” in conditions that they themselves considered worse than death.¹⁵⁷⁸
428. Surviving S-21 records also demonstrate that Thai and Vietnamese nationals arrested at sea,¹⁵⁷⁹ including children,¹⁵⁸⁰ as well as DK citizens¹⁵⁸¹ were moved *en masse* around 7 May 1976 from Kampong Som to S-21, where they were then killed. There is evidence that many of them had been arrested between September and December 1975,¹⁵⁸² and were therefore held in Kampong Som for several months before the transfer. At least some of these had been detained to work at Toek Sap.¹⁵⁸³
429. The Division hospital chief Soem Neam alias Sok (Sokh) and his wife, Hem Ang alias Sin, were sent to Toek Sap before being detained and executed at S-21.¹⁵⁸⁴ As outlined in the *Purges Within Division 164* section, there are clear indications that Division 164 Deputy Commander, Hoeng Doeun alias Dim, was also arrested well before his transfer to S-21 on 21 April 1977.¹⁵⁸⁵
430. These examples demonstrate an established and systematic detention policy that relied on collaboration between individual security centres and the central security centre in Phnom Penh.¹⁵⁸⁶ Imprisonment operations followed a recognised system of incarceration that was utilised to address the perceived threat of internal enemy and alien influences. **Meas Muth** regularly reported to the Party Centre and ruthlessly implemented the enemy policy at the security centres under his control.¹⁵⁸⁷

2. ARRESTS AND DETENTION IN DIVISION 164 SECURITY CENTRES

EXECUTION OF ARRESTS

431. As the Secretary and overall Commander of Division 3/164,¹⁵⁸⁸ and Secretary of Kampong Som Autonomous Sector,¹⁵⁸⁹ **Meas Muth** possessed the ultimate power of arrest, detention, release and execution¹⁵⁹⁰ of Division 3/164 military personnel and their families, civilians living in the Kampong Som region and individuals captured at sea and on the islands controlled by Democratic Kampuchea (including Koh Poulo Wai, Koh Tang, Koh Pring, Koh Rong, Koh Rong Samloem, Koh Seh, Koh Thmei and other minor islands).

432. Many Division 164 combatants were arrested by members of Special Battalion¹⁵⁹¹ 165 (previously Battalion 450 under Division 3),¹⁵⁹² a unit under the direct and personal command of **Meas Muth**.¹⁵⁹³ Originally an elite combat unit assisting regiments on the battlefield before April 1975,¹⁵⁹⁴ Battalion 165/450's primary function changed after the Khmer Rouge captured Phnom Penh, when it assumed responsibility for security on behalf of Division 164.¹⁵⁹⁵ Special Battalion 165/450 provided **Meas Muth**'s messengers and bodyguards,¹⁵⁹⁶ ensured security at both the division headquarters¹⁵⁹⁷ and the Wat Enta Nhien security centre in Kampong Som,¹⁵⁹⁸ and conducted arrests across **Meas Muth**'s area of authority.¹⁵⁹⁹
433. When Battalion 165/450 arrived in Kampong Som with the rest of Division 3 on 18 April 1975,¹⁶⁰⁰ Sa(r) Moeun was its commander.¹⁶⁰¹ He reported directly to **Meas Muth**.¹⁶⁰² Thean and Witness Em Sun also held leadership roles at the time.¹⁶⁰³ In August 1975, when Regiment 140 was created, Sa Moeun was transferred to the Navy (Commander of Battalion 141)¹⁶⁰⁴ and Norn assumed command of the Special Battalion,¹⁶⁰⁵ and became the chief of Wat Enta Nhien security centre.¹⁶⁰⁶ Chhun Lun alias Sam-At alias Sun was Deputy Commander for a short period before **Meas Muth** sent him to S-21 in June 1976.¹⁶⁰⁷ Witnesses would regularly see Norn go in and out of **Meas Muth**'s house.¹⁶⁰⁸ In 1978, Norn was arrested for raping female prisoners at Wat Enta Nhien.¹⁶⁰⁹
434. As the purges escalated, the role played by Battalion 165/450 in arrests of Division 164 personnel became so renowned that the mere sight of its members, and especially Norn, made people afraid. Sa Moeun's former messenger Touch Soeuli said, "wherever Ta Norn's car arrived, people were usually worried because they did not know who would be arrested next."¹⁶¹⁰
435. Many Division 164 cadres were arrested by their unit commanders.¹⁶¹¹ Demobilised cadres working in one of the Kampong Som worksites were often arrested by one of their former comrades who for the time being remained an "active cadre"¹⁶¹² and provided armed guard over them.¹⁶¹³
436. Civilians were generally arrested by Division 164 soldiers,¹⁶¹⁴ or co-operative chiefs.¹⁶¹⁵
437. As regards arrests at sea, vessels belonging to Regiments 61, 62 and 63 were instructed to capture small boats entering territorial waters.¹⁶¹⁶ The armed PCF boats of Regiment 140,

which were the defence vessels and pursuit vessels, were stationed either in Kampong Som, Koh Poulo Wai or Koh Tang island and were also charged to capture the foreign boats.¹⁶¹⁷ **Meas Muth**, as Division 164 Commander and Chief of the Navy, decided the fate of the crew and passengers captured on a case-by-case basis.¹⁶¹⁸ If he was absent, one of his deputies acted on his behalf.¹⁶¹⁹ **Meas Muth**'s decisions were immediately communicated down through the chain of command to the relevant battalion, company or unit level.¹⁶²⁰

LACK OF DUE PROCESS

438. In what one Division 164 combatant described as a “dictatorial time”,¹⁶²¹ there were no courts, criminal codes, or legal processes when **Meas Muth** administered the Kampong Som Autonomous Sector.¹⁶²² Nor were there any legal institutions, processes or protections anywhere else in the DK regime.¹⁶²³ There was no judicial authorisation for, or review of, any of the arrests, detentions or executions. Detainees were not informed of the charges against them. None of the detainees was entitled to challenge arrest and imprisonment through any judicial mechanism, or offered any kind of trial.
439. Not only were the arrests without due process, in almost all cases there was no evidence that the person had done anything to justify any punishment. In many cases, the regime's “suspicion” about the arrested individuals was based solely on the confessions obtained through the torture of those who had gone through S-21 and other DK security centres before them.¹⁶²⁴ As the CPK leadership knew,¹⁶²⁵ confessions extracted in these circumstances are inherently unreliable. In line with the CPK policy to “dig out the root” of perceived enemy networks, mere affiliation with a purged commander or cadre was often sufficient to motivate arrests. Commanders were requested to actively identify within their respective units additional “traitors” and anyone affiliated with “traitors”,¹⁶²⁶ and **Meas Muth** organised study sessions at which attendees were required to write biographies identifying their past involvement with cadres who had already been purged.¹⁶²⁷
440. Prisoners were never told why they were arrested. To avoid any resistance or rebellion of their respective armed units,¹⁶²⁸ those targeted for detention were often invited to attend study sessions,¹⁶²⁹ or told they were moving to a new cooperative.¹⁶³⁰

3. WAT ENTA NHIEU SECURITY CENTRE¹⁶³¹

LOCATION, SITE DESCRIPTION AND OPERATION

441. Wat Enta Nhien, also known as Wat Kraom,¹⁶³² was located in Kampong Som City,¹⁶³³ in close proximity to both sites of the Division 164 Headquarters,¹⁶³⁴ where **Meas Muth** resided.¹⁶³⁵
442. When the Khmer Rouge took control of the site, some of the original buildings, including the sacred temple, were destroyed, leaving three primary buildings which constituted the security centre: two monks' houses and one dining hall.¹⁶³⁶ The first monks' building was the house where the Battalion 450/165 commander resided,¹⁶³⁷ and it also housed a medic, radio communications operator, and a messenger.¹⁶³⁸ As detailed below,¹⁶³⁹ all three buildings were used for detention purposes. One witness also described around 20 huts in the grounds of the pagoda that were used as additional detention facilities.¹⁶⁴⁰ During the DK period, a lemon plantation, which served as an execution site,¹⁶⁴¹ covered an area on a lower level east of the security centre, which has largely been built upon in the intervening years.¹⁶⁴²

Period of Operation

443. Immediately after Division 3 forces entered Kampong Som on 18 April 1975,¹⁶⁴³ **Meas Muth**'s troops expelled the resident monks from Wat Enta Nhien,¹⁶⁴⁴ and occupied the site.¹⁶⁴⁵ While the evidence suggests the presence of isolated prisoners at Wat Enta Nhien in May-June 1975,¹⁶⁴⁶ it began fully functioning as a security centre in the second half of 1975, likely around August 1975 when Norn assumed the role of Special Battalion 450/165 commander.¹⁶⁴⁷ Wat Enta Nhien continued to be used as a security centre until the end of the DK regime.¹⁶⁴⁸ Indeed, Witness Moul Chhin was detained at Wat Enta Nhien until days before the arrival of the Vietnamese in 1979.¹⁶⁴⁹

Authority Structure

444. Wat Enta Nhien was a security and detention centre of Division 164 under **Meas Muth**,¹⁶⁵⁰ and clearly situated within his area of responsibility.¹⁶⁵¹ **Meas Muth** was "responsible exclusively" for Wat Enta Nhien,¹⁶⁵² and was intimately involved with its operations.

445. As detailed above, **Meas Muth**'s own elite Special Battalion 165/450 ran the centre¹⁶⁵³ as part of its remit for Division 164 security.¹⁶⁵⁴ **Meas Muth** visited Wat Enta Nhien at least once a month¹⁶⁵⁵ to "examine the situation at Wat Enta Nhien Pagoda",¹⁶⁵⁶ and possibly to bring food for the guards.¹⁶⁵⁷ The Division 164 office and his own living quarters were in close proximity to the site,¹⁶⁵⁸ and **Meas Muth** often combined his visits with meetings at other sites operated by Division 164, such as Stung Hav,¹⁶⁵⁹ Ream or Kang Keng.¹⁶⁶⁰ Witness Soem Ny, who stated that he worked at a plantation outside Wat Enta Nhien from mid-1976 to early 1977,¹⁶⁶¹ explained that he personally saw **Meas Muth** visit the pagoda twice.¹⁶⁶² He recalled **Meas Muth** being driven in a Chinese Jeep,¹⁶⁶³ just as another witness has done.¹⁶⁶⁴ Fellow Kampong Som Town CPK Committee member Launh (from the State fisheries)¹⁶⁶⁵ also used to visit the security centre, sometimes with **Meas Muth**,¹⁶⁶⁶ to bring food supplies.¹⁶⁶⁷
446. **Meas Muth** was the one who "sent the people away" and also conducted interrogations of detainees to produce evidence of their supposedly treacherous activity.¹⁶⁶⁸ Indeed, a 1977 telegram shows **Meas Muth** reporting on the interrogations of Thai fishermen in Kampong Som:

Yesterday, on August 11, 1977 when operating a patrol, we caught two machine boats: 350-horsepower and 175-horsepower. The latter carried five people with no fishing equipment [...] *Later we questioned them [...] Now the five men in question have been convoyed to Kampong Som. We are questioning them more.*¹⁶⁶⁹

Son Sen responded:

We request that *questions be put* to identify the internal networks.¹⁶⁷⁰

447. Despite, and perhaps because of, the level of his personal involvement with the site, **Meas Muth** has been less than candid about his knowledge of Wat Enta Nhien, asserting in an interview with David Kattenberg that "there were no detention centres in Kampong Som"¹⁶⁷¹ when he had told investigators seeking information on missing American military members in 2001 that he knew about "Tinean Pagoda", adding, "Why would we use it as a prison for Americans when we did not capture any Americans?"¹⁶⁷²

CRIMES

Imprisonment

448. Deprivation of liberty without due process: Prisoners were completely deprived of their liberty and freedom of movement at Wat Enta Nhien. The pagoda was surrounded by a barbed wire fence.¹⁶⁷³ Prisoners were detained under guard,¹⁶⁷⁴ in the first¹⁶⁷⁵ and second¹⁶⁷⁶ monks' buildings and in the dining hall.¹⁶⁷⁷ One witness also described seeing 40-50 prisoners in huts in the pagoda grounds.¹⁶⁷⁸ As detailed in the *Inhumane Treatment* section below, prisoners at Wat Enta Nhien were shackled from the moment they arrived, including at night.

449. Categories of detainees:

a) Division 164 Cadres and Demobilised Soldiers

450. The majority of prisoners at Wat Enta Nhien were soldiers from regiments and battalions across Division 164.¹⁶⁷⁹ Wat Enta Nhien was used as a detention facility for those accused of “treason or disloyalty”.¹⁶⁸⁰ Anyone deemed to have engaged in “suspicious activities,”¹⁶⁸¹ or to have made “any mistake”¹⁶⁸² – whether serious¹⁶⁸³ or minor¹⁶⁸⁴ – would fall into this category. Witness Soem Ny explained that **Meas Muth** was especially intolerant of mistakes:

Meas Muth was different. He would not let them make two or three mistakes. Q: Instant punishment? A: If they made a mistake, they were in trouble.¹⁶⁸⁵

451. Traitors or “bad elements” also included those with “tendencies”,¹⁶⁸⁶ meaning that “they were associated with the political tendencies of those who had appointed them”.¹⁶⁸⁷ As Soem Ny explained further:

Tendencies were like [...] For example, it was connected to the organizational line from the district or sector committees. They investigated us based on our biographies, so they knew the reasons. Consequently, they removed us from the unit, sent us there and shackled us in chains.¹⁶⁸⁸

452. Division 164 soldiers, who were labelled “bad elements”, for example, because they belonged to a suspect “network” associated with one of the purged Division 164 leaders, such as the Sector 37 (former Battalion 386) network under Norng Chhan, or former East

Zone troops under Hoeng Doeun alias Dim, were at particular risk of being arrested and imprisoned. “When [a] superior was accused of being the traitor all his subordinates would automatically be perceived as the traitors.”¹⁶⁸⁹ A former East Zone cadre bemoaned the universal suspicion: “they suspected the lot of us, that all the Easterners were traitors.”¹⁶⁹⁰

453. As Ek Ny explained:

In practice, when a soldier committed a mistake; for example, when a soldier slept when they were on guard, that soldier would be called to be re-educated at the battalion, later released and returned to his unit, but when that soldier repeated mistakes several times, that soldier would be taken for execution. As for soldiers who did not have their commanders linked to traitorous networks, that soldier would be re-educated several times when he committed a mistake, before he was taken away. As for soldiers in my unit [Battalion 386], we did not have [a] second chance if we happened to sleep when we were on guard.¹⁶⁹¹

454. There is evidence that both former East Zone cadres¹⁶⁹² and former members of Battalion 386 were detained at Wat Enta Nhien. Rem, the former Battalion 386 political commissar within Division 164, was killed resisting arrest outside Wat Enta Nhien during the purge of former Sector 37 cadres (as described further in the *Murder, Extermination, and Enforced Disappearances* section) and demobilised former Battalion 386 combatant Witness Moul Chhin was held in the security centre for three days after he left his cooperative to visit his parents.¹⁶⁹³

455. Division 164 authorities sent some persons to the security centre because of “moral offences”.¹⁶⁹⁴

If I loved a woman and that woman also loved me and we were discovered, both of us would be sent to another location to do farming. On the other hand, if the woman did not love me, and I loved her alone, it would be abuse. Consequently, they would send me to Wat Enta Nhien.¹⁶⁹⁵

b) Civilians

456. Although some witnesses suggest that no civilians were detained at Wat Enta Nhien,¹⁶⁹⁶ the evidence supports the existence of at least some civilian detainees from the Kampong Som region. Witnesses have reported the presence of workers from the port, who had had “problems with the authorities”,¹⁶⁹⁷ and fishermen brought from Launh’s fishing unit.¹⁶⁹⁸

c) Foreigners

457. There is also evidence that foreigners captured at sea were detained in Wat Enta Nhien. After the *Mayaguez* Incident in May 1975, which is described in further detail in *VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea*, Special Battalion 450/165 commander Em Sun¹⁶⁹⁹ stated in his interview to the OCIJ that two US soldiers were captured on Koh Tang island,¹⁷⁰⁰ and on **Meas Muth**'s orders,¹⁷⁰¹ he took them to the mainland and personally handed them over to Division 164 in Kampong Som.¹⁷⁰²
458. In the book *The Last Battle*, Ralph Watterhahn records Em Sun receiving orders "from Kampong Som", pursuant to which he transported the two American servicemen from Koh Tang to the mainland and on to Wat Enta Nhien where they were killed "more than a week later" and buried at coastal points to the north and south of the pagoda.¹⁷⁰³ Witness Em Sun confirmed this account of transporting the captives to the mainland, although he now denies knowledge of the Americans' immediate fate after he handed them over to **Meas Muth**'s office.¹⁷⁰⁴ Em Sun stated in his WRI that he found the bodies 20 days after he turned them over to **Meas Muth**'s men: one of them next to the Kampong Som beach behind the 7-storey hotel (also known as the Sokha Hotel),¹⁷⁰⁵ and the other one in the west beneath the former King's Residence,¹⁷⁰⁶ about 1 kilometre from Wat Enta Nhien.¹⁷⁰⁷
459. Although Em Sun's account to the OCIJ differs to that recorded by Ralph Wetterhahn regarding the detention of the servicemen at Wat Enta Nhien, the Co-Prosecutor notes that it is not inconsistent with such detention in the 20 days Em Sun no longer accounts for after he says he turned them over to **Meas Muth**'s forces. Moreover, the burial locations cited by Em Sun to the OCIJ and those in Ralph Wetterhahn's book are identical.
460. The detention of other foreigners at Wat Enta Nhien is evidenced by the discovery of two corpses buried close to the site in 1979: one a female corpse which the witness considered much larger than an average Cambodian, and a second with "African-like short curly hair".¹⁷⁰⁸

d) Women and Children

461. Women and children were detained,¹⁷⁰⁹ tortured¹⁷¹⁰ and executed¹⁷¹¹ at Wat Enta Nhien.

462. Number of prisoners: Evidence indicates that the security centre had the capacity to hold more than 200 prisoners at any one time. In the first monks' building, Pauch Koy reported seeing five detention cells, each capable of holding 20 prisoners.¹⁷¹² As detailed below in the *Murder, Extermination and Enforced Disappearances* section, Nuon Yoem witnessed around 100 corpses shackled in the dining hall when he arrived at the site in mid-1979.
463. It is impossible, however, to accurately ascertain the total number of prisoners detained at Wat Enta Nhien over the course of the DK regime. Some witnesses have provided isolated evidence of numbers: Soem Ny provided an estimate of 70 to 80 detainees being held at any one time in the 1976-1977 period;¹⁷¹³ Em Sun saw around 20 prisoners working outside the prison, but could not account for those inside;¹⁷¹⁴ and Moul Chhin counted 20 fellow prisoners in the dining hall with him when he was detained at Wat Enta Nhien at the very end of the DK regime.¹⁷¹⁵ However, each of these pieces of evidence is a mere snapshot of a particular time, or of a particular segment of the Wat Enta Nhien centre. It does not take into account the turnover of detainees. Moreover, as Soem Ny indicated, prisoner numbers fluctuated.¹⁷¹⁶
464. However it can safely be stated that the numbers detained at Wat Enta Nhien far exceeded the estimated 500-1000 bodies found at the site immediately after the fall of the DK regime.¹⁷¹⁷ First, as detailed in the *Murder, Extermination, and Enforced Disappearances* section, not every grave pit at the Wat Enta Nhien site was excavated in 1979, with new burial areas reportedly discovered at the site in 1992 and 2003. More may still remain undiscovered. Second, there must be added to these figures the prisoners who were released during and at the end of the DK regime, or later sent on to S-21 for execution.

Inhumane Treatment

465. From the moment they passed through the gate to Wat Enta Nhien, prisoners were subjected to inhumane conditions and left without dignity or hope.
466. Use of shackles and chains: Prisoners were detained as soon as they arrived,¹⁷¹⁸ by day and by night.¹⁷¹⁹ Most prisoners were held in the dining hall with at least 20,¹⁷²⁰ possibly up to 100¹⁷²¹ fellow detainees, shackled together by the ankle to an iron bar, usually with their hands tied behind their backs.¹⁷²² Other detainees were held in cramped cells in the first

monks' house together with up to 20 prisoners shackled in each cell.¹⁷²³ One witness also described seeing shackles in the free-standing detention huts when he visited the site during the DK regime.¹⁷²⁴ Another who visited the site in 1979 saw a wall where detainees could be shackled by the neck.¹⁷²⁵ Witnesses reported seeing blood in the detention areas.¹⁷²⁶

467. Being restrained by leg-shackles and hand ties for long periods of time caused prisoners' hands and legs to swell.¹⁷²⁷ If a prisoner needed to relieve him/herself, the shackles were sometimes removed briefly,¹⁷²⁸ but often only for them to be replaced by hand ties.¹⁷²⁹ Similarly, when prisoners were sent out of the prison to work,¹⁷³⁰ their shackles were exchanged for chains.¹⁷³¹ As prisoners' hands and legs were bound and shackled at night, they were forced to try to sleep on their arms. This made achieving restful sleep difficult and exacerbated the swelling of their limbs.¹⁷³² As they were permanently immobile, the prisoners were unable to swat away the mosquitoes that were biting them.¹⁷³³
468. Lack of hygiene: Sanitation at Wat Enta Nhien was grossly inadequate. With a few exceptions, many prisoners' hair was never cut,¹⁷³⁴ and they were provided inadequate clothing that became torn from the chains they were forced to wear.¹⁷³⁵ Although prisoners were sometimes permitted to urinate and defecate outside,¹⁷³⁶ guards would sometimes refuse, so prisoners were forced to relieve themselves onto the floor of the detention rooms.¹⁷³⁷ When Moul Chhin first arrived at the dining hall, the smell of urine immediately accosted him.¹⁷³⁸ Human blood was also found on the walls of both the first monk's building and the dining hall.¹⁷³⁹
469. Even defecating outside the hall was neither private nor dignified. Armed guards with AK-47s watched on,¹⁷⁴⁰ hurrying prisoners if they did not relieve themselves quickly enough.¹⁷⁴¹
470. Inadequate food rations: Detainees were offered only half of the already meagre rations given to the average DK citizen.¹⁷⁴² Moul Chhin received only "watery porridge with few rice grains mixed with potato leaves".¹⁷⁴³ As a result, prisoners were left "very thin"¹⁷⁴⁴ and "the shape and face of those prisoners did not look as normal persons".¹⁷⁴⁵ They were so desperate for food that those who were lucky enough to leave the compound to work begged soldiers working in nearby fields for food, but had to ensure they washed their hands and mouths thoroughly so as not to be caught by prison officials on their return.¹⁷⁴⁶

471. Treatment of female detainees: Female prisoners were subjected to the utmost inhumane treatment. As detailed in the *Torture* section below, they were subjected to repugnant forms of torture, and at least one female prisoner was raped by Wat Enta Nhien security chief, Norn.¹⁷⁴⁷
472. Forced Labour: Prisoners at Wat Enta Nhien were forced to work for the benefit of the regime.¹⁷⁴⁸ Awoken at 4 a.m. and put in chains,¹⁷⁴⁹ they were required to clean the prison,¹⁷⁵⁰ before moving to their respective work places.¹⁷⁵¹ Many were sent into fields neighbouring the pagoda to farm cassava (tapioca),¹⁷⁵² to clear forest in a nearby potato plantation,¹⁷⁵³ or to plant trees.¹⁷⁵⁴ Others were required to cook inside the prison.¹⁷⁵⁵
473. Environment of Fear: Prisoners experienced severe mental suffering and loss of dignity as a result of the inhumane conditions and other mistreatment at Wat Enta Nhien. As soon as Moul Chhin entered the “dark and quiet” dining hall, saw the other shackled prisoners, and smelt the stench of urine, he “immediately felt scared”.¹⁷⁵⁶ After only three days’ detention, Moul Chhin was left without hope of survival: he “thought only about death”.¹⁷⁵⁷ Other witnesses described seeing prisoners looking frightened and distressed.¹⁷⁵⁸

Torture

474. Interrogations incorporating the same methods of torture as those used at S-21 and other security centres in the DK network were carried out at Wat Enta Nhien at the instigation and with the knowledge of **Meas Muth**.¹⁷⁵⁹ In addition to the severe mental suffering inflicted upon the detainees as a result of their inhumane treatment and fear of torture, prisoners were also subjected to physical torture by officials at Wat Enta Nhien in an effort to extract information during interrogations or as a form of punishment.
475. According to Witness Pen Sarin, torture was performed on prisoners in one large hall in the monastery.¹⁷⁶⁰ Witness Ek Ny gave a graphic account of the torture of female prisoners that he had received directly from soldiers in Special Battalion 450/165:

Those soldiers had told me that during the time of interrogation and torturing, the female prisoners were completely stripped [of] their clothes. [...] After being stripped [of] their clothes, the female prisoners were put inside a jar containing of water and leeches. At that time those prisoners were terrified because they were scared of leeches biting, and so they chose to confess as they were traitors even they were not.¹⁷⁶¹

Murder, Extermination, and Enforced Disappearances

476. Prisoners were said to be sent to Wat Enta Nhien to be “educated” and “corrected,”¹⁷⁶² but this is no more than a euphemistic misnomer. Although there is evidence that some prisoners were released from the security centre,¹⁷⁶³ in reality, more than a thousand killings occurred at Wat Enta Nhien. As outlined above,¹⁷⁶⁴ countless others were taken away from the prison to S-21 and other unknown destinations.
477. During the purge of former Battalion 386, its political commissar within Division 164, Rem, was killed by members of **Meas Muth**’s special unit, Battalion 450/165, in front of Wat Enta Nhien pagoda while trying to resist arrest.¹⁷⁶⁵ In one of his written records of interview, Ek Ny stated that **Meas Muth** taught Rem’s story when he read confessions of other purged cadres to Division 164 troops in a meeting.¹⁷⁶⁶ Indeed, “almost all the soldiers knew about Rem’s story.”¹⁷⁶⁷
478. Civilians entering Wat Enta Nhien in 1979 soon after the fall of the DK regime, found around 100 shackled and decomposing corpses in the dining hall.¹⁷⁶⁸ Large water jars near the dining hall, identified by a former combatant familiar with the site during the regime,¹⁷⁶⁹ were later discovered filled with corpses.¹⁷⁷⁰ The number of bodies inside the pagoda complex was so extensive it took 15 monks and civilians between 2 weeks and a month to collect the bones.¹⁷⁷¹ Bones, clothes and more decaying bodies were scattered around the compound, in the open and in shallow pits.¹⁷⁷² Further individual graves were discovered by local residents.¹⁷⁷³ The stench in and around the Wat Enta Nhien compound and the presence of maggots suggested that at least some of these victims had died fairly recently.¹⁷⁷⁴ Some of the bodies appeared to belong to women¹⁷⁷⁵ and children.¹⁷⁷⁶ Some were still tied with hammock/nylon cord or chains¹⁷⁷⁷ and some wore black clothes.¹⁷⁷⁸ Military equipment was also found in burial pits.¹⁷⁷⁹ In addition, some of the skulls found showed signs of blunt trauma,¹⁷⁸⁰ suggesting execution by a blow to the head with a blunt instrument. Indeed, remains of hoes were found at the site.¹⁷⁸¹
479. The remains of many of the victims have subsequently been stored in a large four-storey stupa located within the pagoda complex.¹⁷⁸²
480. Two witnesses who visited the site in 1979 estimated that the number of bodies found at the Wat Enta Nhien site was around 1000. In the words of one, there were “about hundreds

[of] skeletal remains, at most 1,000” in total.¹⁷⁸³ The other estimated that “there were about 400 to 500 skulls on the ground in the pagoda compound,”¹⁷⁸⁴ and the same number again collected from pits in the compound.¹⁷⁸⁵ It is likely that not every pit around Wat Enta Nhien has been excavated.¹⁷⁸⁶ Indeed, further pits were discovered around 1992¹⁷⁸⁷ and in 2003.¹⁷⁸⁸

4. TOEK SAP SECURITY CENTRE¹⁷⁸⁹

LOCATION, SITE DESCRIPTION AND OPERATION

481. Toek Sap was a security or “re-education” centre and execution site¹⁷⁹⁰ situated in a larger compound accommodating numerous facilities used by Division 164. The Toek Sap site (also known by its literal English translation, “the fresh water site”) was located in the area of Prey Nop District that was incorporated into the Kampong Som Autonomous Sector,¹⁷⁹¹ between Kang Keng and Veal Renh,¹⁷⁹² around 20 kilometres from Kampong Som city and Wat Enta Nhien security centre.¹⁷⁹³ It lay northeast of the Ream cooperatives and the Kang Keng Airfield.¹⁷⁹⁴
482. The site occupied a former Lon Nol military base,¹⁷⁹⁵ situated near the Toek Sap bridge,¹⁷⁹⁶ largely in the northeast quadrant created where National Road 4 crosses the Toek Sap River.¹⁷⁹⁷ After briefly stationing in Kang Keng,¹⁷⁹⁸ the headquarters (and logistics hub) of Regiment 22/63¹⁷⁹⁹ and Battalion 530/631¹⁸⁰⁰ were located at the site, with their ancillary facilities, such as soldiers’ living accommodation and a kitchen.¹⁸⁰¹ Consonant with its role in Division 164 logistics, the site also housed an ammunition depot.¹⁸⁰² Access to the Toek Sap site was restricted and strictly monitored. Civilians were not allowed to approach the compound or enter the premises,¹⁸⁰³ nor were they permitted to approach any prisoners they saw.¹⁸⁰⁴
483. The main prison was located in a long wooden building,¹⁸⁰⁵ on the eastern edge of the Toek Sap compound at the foot of a mountain.¹⁸⁰⁶ On the west bank of the Toek Sap river, close to and north of National Road 4, there was a sawmill and abandoned house¹⁸⁰⁷ where prisoners were detained and forced to work.¹⁸⁰⁸ To the north and west of the sawmill were rice fields where detainees also worked on an *ad hoc* basis.¹⁸⁰⁹

484. Durian, coconut, rambutan and pepper plantations, frequently described by witnesses as belonging to Mr Chhan,¹⁸¹⁰ covered up to 30 hectares of the Toek Sap site,¹⁸¹¹ including areas in the lower section of the compound near the ammunition warehouses,¹⁸¹² and across the entire upper/northern area.¹⁸¹³ None of the DK-era buildings remain,¹⁸¹⁴ and the grave sites in the plantations have been flattened, excavated and filled.¹⁸¹⁵

Period of Operation

485. Before April 1975, Toek Sap and neighbouring Ou Kambot had marked the frontline between Lon Nol and Khmer Rouge troops.¹⁸¹⁶ Almost immediately after Division 3 forces entered Kampong Som on 18 April 1975,¹⁸¹⁷ there is evidence that **Meas Muth**'s troops occupied the Toek Sap site.¹⁸¹⁸ Division 164 had begun operating a detention facility centre in Toek Sap by at least mid-November 1975, when surviving S-21 documents show that Vietnamese fishermen captured at sea were detained there and put to work in the durian and rambutan plantations, before their transfer to S-21 in early May 1976.¹⁸¹⁹ The security centre continued to operate until the end of the DK period.¹⁸²⁰ Although some witnesses have suggested that prisoners were released before the end of the Khmer Rouge era,¹⁸²¹ three witnesses, Moul Chhin, Nguon Lay and Long Phansy were all released from Toek Sap only when the Vietnamese arrived in Cambodia in January 1979,¹⁸²² thus confirming its use to the very end of the regime.

Authority Structure & Communication

486. Toek Sap was situated within Division 164 and **Meas Muth**'s area of authority,¹⁸²³ and the security centre fell under their jurisdiction.¹⁸²⁴ A 1976 telegram from **Meas Muth** to Son Sen demonstrates **Meas Muth**'s control of the area, stating:

Enemy situations: according to the responses of the one arrested east of Toek Sap, the seven persons arrested at Sangvav belonged to his group.¹⁸²⁵

487. In turn, at a meeting of Division leaders, Son Sen issued instructions to Division 164 in respect of the Toek Sap area.¹⁸²⁶ RAK meeting minutes also show that **Meas Muth** was present when his deputy, Dim, reported on arrests in the vicinity of Toek Sap:

We seized a 13 year-old girl in the vicinity of the fresh water (Toek Sap) area. She confessed that she was among a group of three, who are probably staying at Ou Phos now.¹⁸²⁷

The references in **Meas Muth**'s telegram to the "responses" of an arrestee, and in the military meeting minutes to the 13-year-old girl's "confession" are indicative that **Meas Muth** was well informed of the results of the interrogation practices in the area he controlled. Further, **Meas Muth** visited Toek Sap on a regular basis.¹⁸²⁸

488. At the regimental level, Regiment 63 of Division 164 (formerly Regiment 22 of Division 3)¹⁸²⁹ controlled the Toek Sap site,¹⁸³⁰ including, as discussed above, the Regiment's own headquarters, as well as the detention facilities, execution sites and worksites. The prison guards were from a special (security) unit under Regiment 63,¹⁸³¹ and one witness named his brother-in-law Nhen as the prison chairman, at least until 1977.¹⁸³²
489. Division 3/164 committee member¹⁸³³ Mom Chim alias Yan was the first commander of Regiment 22/63, Sras the Deputy Commander and Kim Nhan was initially the member.¹⁸³⁴ Yan worked at the Toek Sap headquarters,¹⁸³⁵ and was regularly seen eating rice in the dining hall there.¹⁸³⁶ After Yan's arrest and transfer to S-21 in April or May 1977,¹⁸³⁷ **Meas Muth** made announcements to cadres in several large meetings of Division 164 regarding the arrest and Yan's alleged treason.¹⁸³⁸ Sras was similarly arrested.¹⁸³⁹ Before these arrests, likely in late 1976, Yan was replaced as Regiment 63 commander by Sin Chorn,¹⁸⁴⁰ who lived in the Toek Sap area.¹⁸⁴¹ Chorn "got orders directly from Meas Mut".¹⁸⁴² Indeed, as Division Commander, **Meas Muth** presided over regular meetings with the regiment commanders.¹⁸⁴³
490. Despite the fact that in July 1975, at a meeting for Division 3/164 leaders, **Meas Muth** had scolded Kim Nhan for not asking his permission to execute people,¹⁸⁴⁴ Nhan was one of **Meas Muth**'s most trusted cadres, who continued rising within the ranks of Division 164 throughout the DK regime. He shared with **Meas Muth** the desire to purge Division 164 of "internal enemies". The two led study sessions together at which attendees were required to complete biographies aimed at rooting out and arresting the "network" of former Regiment 63 commander, Yan.¹⁸⁴⁵ When Chorn took over as Regiment 63 commander, Nhan became his deputy.¹⁸⁴⁶ After Chorn was himself arrested in 1977,¹⁸⁴⁷ Nhan was again promoted, this time to Regiment 63 commander.¹⁸⁴⁸ Battalion 633 commander, Witness Mak

Chhoeun, explained that “Ta Nhan was responsible for communicating with the Division,”¹⁸⁴⁹ and it was clear that he acted as a conduit to **Meas Muth**.¹⁸⁵⁰ After he purged two of the Division 164 committee members (Dim and Chhan), **Meas Muth** appointed Nhan to the Division 164 committee as Deputy Commander in charge of logistics.¹⁸⁵¹ By this time, Nhan had also taken up residence at **Meas Muth**’s compound in Kampong Som,¹⁸⁵² and was often seen representing the Division.¹⁸⁵³ By late 1978, **Meas Muth** assigned Kim Nhan to Kratie to serve as Division 117 Secretary after he had purged the previous Division leadership.¹⁸⁵⁴

CRIMES

Imprisonment and Unlawful Confinement

491. The Toek Sap security centre was used by Division 164 to detain both military personnel and civilians whom they considered “enemies” of the revolution.
492. Deprivation of liberty without due process: As described above,¹⁸⁵⁵ there is no credible evidence that those arrested and detained and/or executed by Division 164 were guilty of any offence. In any event, none were afforded even a modicum of due process.
493. Categories of Detainees: Prisoners at Toek Sap were both military and civilian.¹⁸⁵⁶
 - a) Division 164 Cadres and Demobilised Soldiers
494. Division 164 cadres who were accused of making “mistakes” or committing “offences”, whether minor or serious,¹⁸⁵⁷ criticised the regime’s policies,¹⁸⁵⁸ or protested against work¹⁸⁵⁹ were arrested and sent to Toek Sap security centre. Low-ranking soldiers would generally be detained in Toek Sap prison, rather than being sent to S-21.¹⁸⁶⁰ Regiment 21/162 commander¹⁸⁶¹ Iek Mienh (or Meanh) was also imprisoned there.¹⁸⁶² As discussed above,¹⁸⁶³ Division 164 hospital chief Soem Neam alias Sok (Sokh) and his wife were also sent to Toek Sap before being transferred to S-21 for execution.¹⁸⁶⁴
495. In line with the CPK policy to “dig out the root” of perceived enemy networks such as those of the purged Division 164 committee members, Norng Chhan or Hoeng Doeun alias Dim, mere affiliation with a purged commander or cadre could be a ticket to Toek Sap. According to Ek Ny, 20 female soldiers, who were working closely with Chhan as cooks, assistants or messengers, were taken to Toek Sap security centre.¹⁸⁶⁵

496. Many cadres considered to be “no-good elements” from Division 164 who had previously been disarmed and enslaved for refashioning purposes in worksites or in cooperatives, such as in Ream or Kang Keng,¹⁸⁶⁶ were detained and/or executed at Toek Sap for the slightest mistake.¹⁸⁶⁷ One former Battalion 386 soldier working in rice fields near Ream¹⁸⁶⁸ witnessed fellow demobilised combatants arrested for making minor mistakes. One was arrested for stealing a potato.¹⁸⁶⁹ Another was arrested for killing a cow with his plough on the pretext of being taken for dental treatment.¹⁸⁷⁰ Former Battalion 386 combatant,¹⁸⁷¹ Witness Moul Chhin, was arrested and sent to Toek Sap security centre because he tried to visit his parents.¹⁸⁷² Another witness saw demobilised Sector 37 soldiers sent to farm in Smach Daeng who tried to flee being “arrested, shackled, and sent to Teuk Sab”.¹⁸⁷³ Indeed, Ek Ny saw prisoners working at Toek Sap who were from his own Battalion 386.¹⁸⁷⁴

b) Civilians in the Kampong Som Region

497. Civilians taken to Toek Sap for detention and/or execution included 17 April evacuees, including those considered “intellectuals” and former Lon Nol affiliates.¹⁸⁷⁵ Workers in surrounding cooperatives, such as the Babos cooperative,¹⁸⁷⁶ (whose chairwoman, Comrade Ri, reported to Regiment 63 in Toek Sap),¹⁸⁷⁷ from Smach Deng or Ream or from the Cheng Heng coconut plantation¹⁸⁷⁸ who committed minor mistakes while performing their work, failed to meet harsh working quotas, stole food, or found themselves otherwise branded as traitors were removed and taken to Toek Sap.¹⁸⁷⁹
498. Khmer Krom populations, or at least those perceived by the Khmer Rouge to be Khmer Krom, were also transferred from local mobile units to Toek Sap for detention and/or execution.¹⁸⁸⁰ As detailed in the *VIII.F. Ream Area Worksites* section,¹⁸⁸¹ Witness Kuy Sambath recalls an incident in April or May 1977¹⁸⁸² when around 360 civilians – men, women and children, including new-born babies and the elderly – attempted to escape the terrible living conditions in Ream cooperatives by registering themselves as Kampuchea Krom. They had hoped to be granted safe passage to Vietnam. Instead, they were taken to Toek Sap for execution.
499. Before April 1975, the Toek Sap area had marked the front line between Lon Nol and Khmer Rouge troops.¹⁸⁸³ After Phnom Penh fell, and the Khmer Rouge took control of

Kampong Som,¹⁸⁸⁴ many Lon Nol soldiers retreated to Kang Keng airport,¹⁸⁸⁵ and surrendered.¹⁸⁸⁶ They were taken in large numbers to be executed at the Toek Sap plantation sites.¹⁸⁸⁷ Indeed, Lon Nol military uniforms, helmets, and boots belonging to soldiers of the former Khmer Republic were found at Toek Sap site in 1979.¹⁸⁸⁸ Hostilities between the Khmer Rouge and the Lon Nol regime ceased on 17 April 1975. These former soldiers were not captured or killed in battle, but rather had surrendered to **Meas Muth**'s forces after they arrived in the Kampong Som area on 18 April 1975. Thus they were no longer combatants and had regained their civilian status.

c) Foreigners Captured at Sea

500. Some of those captured at sea were sent to Toek Sap for detention, work and/or execution. As detailed above,¹⁸⁸⁹ S-21 records demonstrate that a number of Thai and Vietnamese were brought to work in the durian and rambutan plantations at Toek Sap before their transfer to S-21. A number of witnesses described hearing that Thai, Vietnamese and other foreign nationals captured at sea were taken to Toek Sap for execution.¹⁸⁹⁰ Lak Saphan, a civilian working at a dam construction site near Toek Sap, saw two soldiers walking a group of four or five tied-up people towards the Toek Sap durian plantation along National Road 4 in the rainy season of 1975. He says he heard the soldiers saying that these people were Thai fishermen, captured at sea.¹⁸⁹¹ He identified Oeng Krapum Phkar's durian plantation (Durian II) and the Toek Sap durian plantation as execution sites well known among the base people.¹⁸⁹² At the time of the event, he also heard from the cooks in the communal dining hall who had children who were Khmer Rouge soldiers in Ream and Toek Sap that people captured at sea who were brought to Kampong Som port were taken to Durian II to be killed, whereas those who were brought through Ream Port were transported up to Toek Sap for execution.¹⁸⁹³
501. Witness Soeng Noch saw two foreigners he believed to be Australian or American being walked along National Road 4 to Toek Sap.¹⁸⁹⁴

d) Children

502. There is also considerable evidence that children, including Vietnamese children captured at sea,¹⁸⁹⁵ were detained at Toek Sap.¹⁸⁹⁶ As detailed in the *Murder, Wilful Killing*,

Extermination, and Enforced Disappearances section below, several witnesses found remains of children in the Toek Sap plantations.

503. Numbers of prisoners: Evidence shows that the main prison held up to 100 detainees at any one time.¹⁸⁹⁷ By the end of the regime, the figures may have been lower as Long Phansy described being held with only 12 other prisoners when he was there in late 1978.¹⁸⁹⁸ Isolated sightings of Toek Sap prisoners working around and near the site support this estimate.¹⁸⁹⁹ Witnesses detained at the sawmill report there being up to an additional 60 prisoners there.¹⁹⁰⁰ As described in the *Murder, Wilful Killing, Extermination, and Enforced Disappearances* section, countless others were arrested and taken to Toek Sap for execution, possibly without passing through the detention facility.
504. As at Wat Enta Nhien, it is impossible to accurately quantify the total number of prisoners subject to arbitrary arrest and imprisonment at Toek Sap during the entirety of the DK period. The evidence suggests a high turnover of detainees, particularly after the “period of intense killings” began in 1976, when civilians were taken from cooperatives and villages to be executed at Toek Sap.¹⁹⁰¹ Witness Prak Bunny stated that around 10 people from his district were taken to Toek Sap security centre every month.¹⁹⁰²
505. It can be stated with certainty however, that the number of victims at Toek Sap far exceeds the number (already over 1,000) whose bodies were discovered at the Toek Sap site.¹⁹⁰³ Witness Chet Bunna stated that some bodies were simply dumped in the Toek Sap river,¹⁹⁰⁴ and it is possible that additional grave sites went unidentified prior to the land being excavated and re-filled after the DK period. Account must also be taken of the prisoners who were released during and at the end of the DK regime, or subsequently sent to S-21 for execution.

Inhumane Treatment and Wilfully Causing Great Suffering or Serious Injury

506. Use of shackles and restraints: Prisoners at Toek Sap described being shackled and cuffed,¹⁹⁰⁵ with “serious crime prisoners being tied with their hands behind their backs and with one of their ankles shackled to a pillar”.¹⁹⁰⁶ Leg shackles were found at the site after the end of the DK regime.¹⁹⁰⁷ Witness Ek Ny, a demobilised former Sector 37 soldier assigned to farm paddies near Toek Sap,¹⁹⁰⁸ witnessed prisoners working there:

Some prisoners were pierced through the ear to make a hole so that they [soldiers] could insert a rope through the hole to tie them together in group. They inserted a rope through the ears of 5 to 10 prisoners together to prevent them from escaping. [...] It was a barbaric place because the prisoners' ears had been pierced.¹⁹⁰⁹

507. Without exception,¹⁹¹⁰ detainees in Toek Sap received insufficient food and became emaciated from malnutrition.¹⁹¹¹ Guards insulted the detainees, calling them “contemptibles”,¹⁹¹² meaning that they had “no right at all”.¹⁹¹³ As set out in detail below, Toek Sap prisoners were subjected to interrogation and torture,¹⁹¹⁴ leaving them with “bruises on their face and lumps on their limbs”.¹⁹¹⁵ Some sustained permanent physical scarring.¹⁹¹⁶
508. As a result of their detention at Toek Sap, prisoners also experienced severe mental suffering. They were “frightened and terrified,”¹⁹¹⁷ and left wishing for execution to relieve their misery.¹⁹¹⁸
509. Forced Labour: Forced labour for the benefit of the regime was used as a form of punishment at the Toek Sap security centre. Tasks were diverse. In the early years of the DK regime, Vietnamese fishermen captured at sea were required to work – mainly clearing grass and carrying fertiliser – in the durian and rambutan plantations.¹⁹¹⁹ Other detainees worked at the sawmill.¹⁹²⁰ Prisoners also worked on both sides of the Toek Sap river, performing tasks such as ploughing the rice fields, transplanting rice seeds,¹⁹²¹ digging earth,¹⁹²² carrying timber, or building houses.¹⁹²³ Witness Long Phansy described digging vegetables and being forced to taste faeces which was used as fertiliser as part of his work.¹⁹²⁴
510. In addition to work assignments related to the operation of the security centre, prisoners were sometimes assigned to neighbouring worksites. Ek Ny and Chet Bunna both worked in the rice fields to the west of the Toek Sap river.¹⁹²⁵ Ek Ny confirmed that prisoners would assist them when extra manpower was required.¹⁹²⁶ Chet Bunna thought that the prisoners seemed to be used to intimidate workers in the nearby worksites, “in order to show and scare us so that we would not want to try to make any mistake”.¹⁹²⁷
511. Prisoners at Toek Sap “had to work very hard in order to survive”¹⁹²⁸ under gruelling conditions, and without breaks.¹⁹²⁹ Detainees were chained while they worked,¹⁹³⁰ and

guards constantly watched over them, threatening them to work faster.¹⁹³¹ Witness Long Phansy explained that he was tortured more if he was perceived to have failed in his assignments.¹⁹³²

Torture

512. As **Meas Muth** knew,¹⁹³³ Division 164 cadres interrogated detainees at Toek Sap,¹⁹³⁴ inflicting severe physical and psychological suffering to get detainees to “confess” to their crimes and implicate others. Interrogation techniques used in Toek Sap were particularly ruthless. In the words of Ek Ny:

Teuk Sap was a place where the prisoners were severely tortured. It was a prison. It was not a security center.¹⁹³⁵

513. Former inmate Long Phansy described the constant torture he endured during his time at Toek Sap,¹⁹³⁶ where cadres shackled and tortured him with electric whips.¹⁹³⁷ If he was perceived to have somehow failed in his work as a taster of faeces fertiliser, they “tortured [him] more, in addition to the daily torture”.¹⁹³⁸ Other prisoners were beaten during the interrogation process.¹⁹³⁹ And indeed, a range of torture instruments, such as hammers, fingernail-removing tools, clubs, sticks and hoes were left behind after the DK period.¹⁹⁴⁰
514. The torture authorised at Toek Sap caused severe physical and mental pain and suffering to those interrogated. Witnesses described seeing Toek Sap inmates bearing physical scars and wounds that were consistent with torture. Witness Soeng Noch observed a man being released from Toek Sap with “scars left from torture on both of his thighs”.¹⁹⁴¹ Ek Ny saw women arrested for their association with Chhan with “bruises on their face and lumps on their limbs.”¹⁹⁴²
515. In addition to the sustained physical trauma experienced at Toek Sap, prisoners experienced severe mental suffering and were left with long term mental health disability.¹⁹⁴³ Detention at Toek Sap had led Long Phansy to the point of suicidal desperation:

If the Vietnamese had not come in, I think the only way for my life would have been death [...] I didn’t care about anything anymore; I just wanted them to take me to be killed because I was tired of my life, and it was too terribly difficult.¹⁹⁴⁴

Indeed, he considered death to be “only a lightening of [his] punishment there at Tuek Sab”.¹⁹⁴⁵

Murder, Wilful Killing, Extermination, and Enforced Disappearances

516. Hundreds of prisoners sent to Toek Sap were killed or taken away and never seen again, with scant information provided about their disappearances. In a regime often referred to as the ‘regime of secrecy’¹⁹⁴⁶ disappearances were rarely discussed due to a fear of subsequent personal repercussions.¹⁹⁴⁷ There was no court or other system to complain of disappearances.¹⁹⁴⁸
517. There were a few survivors of “re-education” at Toek Sap. Some demobilised former soldiers were released and rearmed to fight the Vietnamese.¹⁹⁴⁹ Witnesses Moul Chhin, Nguon Lay and Long Phansy and their fellow inmates¹⁹⁵⁰ were saved by the invasion of the Vietnamese.¹⁹⁵¹ A few witnesses recounted isolated individuals who made it out of Toek Sap alive.¹⁹⁵² But these are the lucky exceptions. There is overwhelming evidence that the vast majority of those taken to Toek Sap were executed either on arrival, or after a period of inhumane detention.
518. The Toek Sap site,¹⁹⁵³ and more particularly the durian, pepper and rambutan plantations there,¹⁹⁵⁴ were well-known as an execution site among military and civilians alike. As Witness Lak Saphan explained, “everybody knew that if the Khmer Rouge arrested people and took them to Tuek Sab, that was the end of them”.¹⁹⁵⁵ The threat of disappearance resulted in constant fear for both civilians and Khmer Rouge cadres during the period of Democratic Kampuchea.¹⁹⁵⁶ Indeed, many of those sent to Toek Sap “never returned,” “never survived” or “disappeared”.¹⁹⁵⁷ In the opinion of former Toek Sap detainee Moul Chhin:
- there was little chance that the prisoners who were detained there could have survived, that is they may have been killed or died from having insufficient food.¹⁹⁵⁸
519. Many family members of those sent to Toek Sap were never reunited with their loved ones; some heard rumours that those relatives had died there.¹⁹⁵⁹ Many witnesses described victims being sent to Toek Sap for immediate execution.¹⁹⁶⁰

520. Eyewitnesses told of killings at the Toek Sap site. Chet Bunna, who had been demobilised and sent to work in a nearby rice field,¹⁹⁶¹ described seeing emaciated corpses floating down the Toek Sap river near the prison.¹⁹⁶² Lin Sarin, a member of a children's unit across the river from the Toek Sap compound,¹⁹⁶³ had previously heard that Toek Sap was a killing site.¹⁹⁶⁴ He then witnessed for himself victims at Toek Sap being "pulled off lorries and struck on the base of their necks until they died",¹⁹⁶⁵ as well as those who were "beaten multiple times but did not die immediately".¹⁹⁶⁶ He "heard people being struck with clubs and heard their screams."¹⁹⁶⁷ As a result, he also assumed that other people from his commune, whom he saw being taken to Toek Sap, or who simply disappeared, were taken there for execution.¹⁹⁶⁸
521. In 1979, after the fall of the DK regime, human remains and bodies were found at the Toek Sap execution sites, which were located in the durian, rambutan, and pepper plantations, in pits and laying on exposed ground.¹⁹⁶⁹ Many of the pits were positioned next to durian and rambutan trees ostensibly to fertilise them, but the number of corpses was so great that all the trees and crops died.¹⁹⁷⁰ There were about four graves under every durian tree, amounting to hundreds of graves.¹⁹⁷¹
522. Pits included remains from whole families including children.¹⁹⁷² Witness Kuy Sambath saw "a great number of pits and graves" as well as about 1,000 skeletons including children's and babies' skulls.¹⁹⁷³ Others bodies were found in and around a concrete basin used for making fertiliser.¹⁹⁷⁴ Bullets and nylon strings were also found on the ground.¹⁹⁷⁵ Some of the victims' limbs were bound, which demonstrates that the victims were in fact executed and did not die in combat.¹⁹⁷⁶ This area was not used as a burial site before the Khmer Rouge took control of the Toek Sap site; it had been an orchard belonging to Mr Chhan.¹⁹⁷⁷ In addition, some of the skulls found at the durian plantation had visible cracks, suggesting execution by a blow to the head with a blunt instrument.¹⁹⁷⁸ Indeed, remains of hoes were found at the site.¹⁹⁷⁹

Persecution on Political Grounds - Wat Enta Nhien and Toek Sap

523. At Wat Enta Nhien and Toek Sap, **Meas Muth** and Division 164 imprisoned in inhumane conditions, tortured and killed individuals they perceived to be political enemies: in other words, those perceived to be opposed to CPK rule and disloyal to its leadership. As

described in greater detail in *VII. CPK Policies Relevant to the Case Against Meas Muth - Elimination of Enemies and Opposition to CPK Leadership*, this policy was applied to any individual or group perceived to be opposed to the DK regime or deemed to be a threat.

a) *Division 164 Cadres and Demobilised Soldiers*

524. The majority of prisoners detained, tortured and executed at the two security centres were Division 164 cadres targeted because they were considered “internal enemies” or traitors by the CPK, RAK and **Meas Muth**. Those in their professional and personal “networks” were likewise considered traitors and “internal enemies”.

b) *New (17 April) People and Those with Ties to the Lon Nol Regime*

525. As Seng Srun testified,

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.¹⁹⁸⁰

526. “New People”, sometimes called “17 April people” were distrusted by the DK regime, denied the rights and benefits given to “Base People”,¹⁹⁸¹ and feared for their lives.¹⁹⁸²

c) *Foreigners*

527. Foreigners from countries whose governments were distrusted by the DK, including the Thai, Vietnamese and Americans, were deemed a threat to the DK regime, and their nationals were considered “enemies”. As announced in a 1976 meeting of Central Division and Independent Regiment Commanders:

In our status as an army, we must know the subjects that we must attack, namely American imperialism, and the Vietnam revisionists and their traitorous henchmen.¹⁹⁸³

d) *Khmer Krom*

528. Khmer Krom were also sent to Toek Sap. The CPK’s definition of enemies includes the Khmer Krom simply because they originally came from territory now within the borders of Vietnam. As Witness Prak Sokha explained, “[t]hey were accused by the Khmer Rouge that they had connection with the *Yuon* as they lived in Vietnam.”¹⁹⁸⁴

D. S-21 SECURITY CENTRE

1. INTRODUCTION

529. S-21 was the largest DK security office in Democratic Kampuchea in terms of staff.¹⁹⁸⁵ It worked directly under the supervision of and reported to the senior leaders of the CPK,¹⁹⁸⁶ and received prisoners from throughout the country and every RAK Division, Zone and Ministry.¹⁹⁸⁷ S-21 was an independent regiment under the RAK General Staff, where Meas Muth was eventually Deputy Secretary. S-21 was also discussed frequently in meetings of division commanders attended by **Meas Muth** and was an essential tool of the internal purges of the RAK in which **Meas Muth** participated. Many of those killed at S-21 were sent there by **Meas Muth** including subordinates of **Meas Muth** who were victims of the RAK internal purges, foreigners captured at sea and other “enemies” from Kampong Som, Cambodian islands and Kratie.

2. LOCATION AND OPERATION

530. S-21 was established following a meeting on 15 August 1975, at which General Staff Chairman Son Sen instructed RAK Division 703 Secretary In Lon alias Nath and Kaing Guek Eav alias Duch to set up the security office.¹⁹⁸⁸ It commenced operations in the fall of 1975,¹⁹⁸⁹ and remained fully functional until 7 January 1979, when Vietnamese forces reached Phnom Penh.¹⁹⁹⁰
531. In the early months of its existence, S-21 used temporary facilities: initially, interrogations were carried out in a house on the corner of Streets 163 and 360, while the surrounding houses were used to detain prisoners.¹⁹⁹¹ In November 1975, S-21 was moved to the *Police Judiciaire* compound on Street 51.¹⁹⁹² Two months later, in January 1976, due to concerns that Chinese visitors could see the prison’s operations at that location, S-21 returned to its original premises on Streets 163 and 360.¹⁹⁹³
532. During the initial phase of S-21, prisoners were also detained at the Takhmau prison, formerly part of Division 703,¹⁹⁹⁴ and were sent to Phnom Penh for interrogation at the *Police Judiciaire* compound and other sites.¹⁹⁹⁵ Takhmau, then referred to as S-21C,¹⁹⁹⁶ was used by S-21 for detention and execution until mid-1976,¹⁹⁹⁷ and was supervised by Khim Vat alias Hor (the future S-21 deputy chief).¹⁹⁹⁸

533. In April 1976, following his appointment as Head of S-21, Duch moved the security office to its permanent location at the *Lycee Ponhea Yat*, known today as Tuol Sleng.¹⁹⁹⁹ Later in 1976, concerned about the proliferation of mass graves in the area and the risk of disease, Duch decided to establish a new site for the execution and burial of prisoners, and chose a Chinese cemetery called Choeung Ek located in Kandal Province, 15 kilometres southwest of Phnom Penh.²⁰⁰⁰ S-21 began to use Choeung Ek as its main execution site in early 1977.²⁰⁰¹

3. AUTHORITY STRUCTURE & COMMUNICATION

WITHIN THE SECURITY OFFICE

534. S-21 Committee: As with other DK organisations, S-21 was managed by a three-person committee.²⁰⁰² During Nath's period as Secretary of S-21,²⁰⁰³ Duch held the position of Deputy Secretary overseeing interrogations.²⁰⁰⁴ In March 1976, when Nath was transferred to the General Staff, Duch was appointed Secretary of S-21, a position he retained until the end of the regime.²⁰⁰⁵ Hor became Deputy Secretary,²⁰⁰⁶ and Nun Huy alias Huy Sre was the third member of the Committee,²⁰⁰⁷ responsible for Prey Sar (also known as S-24 or S-21D).²⁰⁰⁸

535. S-21 Units: The S-21 office was comprised of a number of units subordinate to the S-21 Committee, including: (i) a Defence Unit headed by Hor,²⁰⁰⁹ with an inside guard team, outside guard team, and a "special unit" responsible for transporting and executing prisoners;²⁰¹⁰ (ii) an Interrogation Unit that had about 30 interrogators prior to purges in 1978;²⁰¹¹ (iii) the Documentation Unit, led by Suos Thy;²⁰¹² (iv) a Photography Unit, led by Nim Kimsreang;²⁰¹³ and (v) a Medical Unit, headed by Try.²⁰¹⁴ Organisation charts prepared by Duch show the structure of the various S-21 units.²⁰¹⁵

RELATIONSHIP WITH THE GENERAL STAFF

536. S-21 was an independent regiment under the RAK General Staff. The RAK General Staff was responsible for ensuring S-21 logistics, personnel, rice production, and other administrative matters.²⁰¹⁶ S-21 representatives participated in Division Secretary meetings,²⁰¹⁷ and attended General Staff study sessions²⁰¹⁸ at which they were instructed on enemies²⁰¹⁹ and the policy that all persons sent to S-21 were enemies to be "smashed."²⁰²⁰

537. The S-21 Chairman reported to and operated directly under the supervision of members of the CPK Standing Committee.²⁰²¹ For the first two years of operations, the S-21 Chairman reported directly to General Staff Chairman Son Sen.²⁰²² Duch had a daily phone call with Son Sen in the late afternoon, in which he reported on prison matters and received instructions,²⁰²³ and would also meet Son Sen at his General Staff office.²⁰²⁴ On a few occasions, Son Sen went to meet Duch at S-21.²⁰²⁵
538. During the second half of 1977, after Son Sen left Phnom Penh to oversee the armed conflict against Vietnam, Nuon Chea took over the direct supervision of S-21, and Duch reported directly to him until the end of the DK regime.²⁰²⁶ Duch would meet Nuon Chea in person every three to five days, usually at Nuon Chea's office at the Suramarith Buddhist School on Street 240, to "report and receive instructions."²⁰²⁷ Duch regularly sent written reports and annotated confessions both to Son Sen and Nuon Chea,²⁰²⁸ and received back letters containing instructions from his superiors.²⁰²⁹

4. MEAS MUTH'S RESPONSIBILITY FOR PRISONERS SENT TO S-21

539. As the Secretary of Division 164 and the Kampong Som City Committee, **Meas Muth** shared responsibility with the Party Centre leaders in Phnom Penh to determine which persons from Division 164 and Kampong Som would be arrested and sent to the S-21 security office. The key role played by RAK Division Secretaries (and other organisation heads) in deciding which prisoners would be sent to S-21 is proven beyond any reasonable doubt by the testimony of S-21 Chairman Duch²⁰³⁰ and other former high-level CPK cadres,²⁰³¹ and by surviving contemporaneous documents, including: annotations on S-21 confessions showing they were forwarded to the heads of the organisations whose cadres were implicated,²⁰³² minutes of meetings in which RAK Secretaries participated in decisions on arrests of their cadres,²⁰³³ and correspondence sent to Duch by RAK Secretaries regarding cadres who had been arrested and sent to S-21.²⁰³⁴
540. **Meas Muth's** receipt of S-21 confessions and participation in decisions relating to Division 164 cadres is proven by annotations written by Son Sen on two S-21 confessions, including a note by Son Sen that he would "invite comrade Mut to check" whether persons implicated in the S-21 confession of Division 164 Deputy Secretary Hoeng Doeun alias

Dim were the “right people”.²⁰³⁵ **Meas Muth**’s knowledge of S-21 is also evidenced by minutes of RAK meetings he attended at which representatives of S-21 were present²⁰³⁶ or Division Secretaries reported on prisoners that had been sent to S-21.²⁰³⁷ Notwithstanding this clear evidence, **Meas Muth** has been inconsistent and less than candid about S-21 in his post-DK interviews. On one occasion he claimed that “no one” in his Division was ever arrested or sent to S-21,²⁰³⁸ but in another interview he admitted that members of Division 164 were arrested by S-21 chairman Duch.²⁰³⁹

541. Contemporaneous documents also confirm **Meas Muth**’s knowing and willing participation in the purge of RAK cadres. At meetings between Son Sen and the RAK Division Secretaries and in written reports to his superiors, **Meas Muth** expressed his agreement with the plan to purge RAK Divisions of all persons perceived as opponents or enemies of the CPK, including “no-good elements or enemies” who were “still camouflaged and infiltrated in the rank and file.”²⁰⁴⁰ At a 9 October 1976 Division Secretaries meeting that was attended by both **Meas Muth** and Deputy Secretary Dim, General Staff Chairman Son Sen provided a detailed report on the arrests of a number of CPK leaders, including Division 170 Secretary Chan Chakrei,²⁰⁴¹ and instructed that it was “imperative to purge absolutely no-good elements.”²⁰⁴² All of the Division Secretaries and Deputies present, including **Meas Muth** and Dim, stated their agreement and reported on arrests in their respective organisations and regions.²⁰⁴³
542. Some of the Division 164 cadres purged by **Meas Muth** were sent to the S-21 security office in Phnom Penh, while others were imprisoned and executed at the Wat Enta Nhien and Toek Sap security centres in Kampong Som (as discussed in those sections). Many of those sent to S-21 held important positions in the Division and **Meas Muth** would certainly have known of their arrests. In total, sixty-seven (67) cadres from Division 164 have been identified in S-21 prisoner lists, including:

- (a) Division Deputy Secretary Hoeng Doeun alias Dim;²⁰⁴⁴
- (b) Division Committee Members Mom Chim alias Yan²⁰⁴⁵ and Men Nget;²⁰⁴⁶
- (c) Chey Han alias Chhan, son of Agriculture Minister Chey Suon,²⁰⁴⁷ who was a Committee Chief of Kampong Som City and Member of Division 164;²⁰⁴⁸

- (d) Regiment 62 Deputy Sann Seap alias Sam²⁰⁴⁹ and Regiment 140 Commander Sam;²⁰⁵⁰
- (e) Division Hospital chief Soem Neam alias Sok²⁰⁵¹ and medic Hem Ang;²⁰⁵²
- (f) Vorng Sam Kol, the chairman of the Division guest office;²⁰⁵³
- (g) Nine Battalion Secretaries, Deputies or Members;²⁰⁵⁴
- (h) 10 platoon, company or unit chiefs;²⁰⁵⁵
- (i) 20 combatants;²⁰⁵⁶ and
- (j) Eight Chinese translators.²⁰⁵⁷

543. The S-21 entry records for these prisoners show a number of dates on which mass arrests of Division 164 cadres took place, including a group of six combatants who entered on 7 May 1976,²⁰⁵⁸ eleven cadres on 15 June 1976,²⁰⁵⁹ five cadres on 18 December 1976,²⁰⁶⁰ and six Chinese translators in April 1978.²⁰⁶¹ On 29 June 1976, two cadres from Battalion 165, whose names had been reported by **Meas Muth** to Son Sen in a telegram sent earlier that month regarding an alleged conspiracy, were sent to S-21.²⁰⁶² A major purge of high-ranking Division 164 cadres took place in April 1977 that included the Division Deputy and Member, a Regiment Deputy, and six Battalion Secretaries or Deputies.²⁰⁶³ **Meas Muth** held meetings at which he accused the purged Division 164 cadres of being traitors and discussed or read from their confessions.²⁰⁶⁴
544. The S-21 prisoners for whom **Meas Muth** was responsible also included Vietnamese and Thai nationals who were captured or arrested at sea by Division 164, and former Lon Nol soldiers and civilians arrested in Kampong Som.²⁰⁶⁵ **Meas Muth**'s responsibility for the capture, arrest, and execution of such groups is evidenced by his Division's reports on those matters to Son Sen.²⁰⁶⁶
545. On 7 February 1976, a group of five Vietnamese civilians captured off Poulo Wai island was sent to S-21.²⁰⁶⁷ On 7 May 1976, in addition to six Division 164 combatants (identified above), 105 other prisoners from Kampong Som were sent to S-21, including: 25 Vietnamese nationals, most of whom are identified in S-21's records as purported spies,²⁰⁶⁸ 43 Thai nationals, mostly identified as fishermen and/or alleged spies;²⁰⁶⁹ seven people identified as soldiers from Divisions 1, 2 or 3 of the Southwest Zone (some of whom are

likely to have been Division 164 cadres at the time of their arrest);²⁰⁷⁰ six former Lon Nol soldiers or spouses of former soldiers;²⁰⁷¹ and 24 civilians from Kampong Som.²⁰⁷²

546. Many of the Vietnamese and Thai nationals sent from Kampong Som to S-21 on 7 May 1976 are identified in the OCIJ S-21 Prisoner List as having been arrested months earlier (in September or December 1975) at sea or on the islands (Koh Rong, Tang, Poulo Wai, Kapi or Thas),²⁰⁷³ including six Thai fisherman from the *Seri Chhaok* fishing boat arrested on 6 September 1975²⁰⁷⁴ and nine Thai fishermen from the *Harin Phanich* fishing boat arrested on 21 or 22 December 1975.²⁰⁷⁵ These prisoners would have been detained for months at security centres in Kampong Som, such as the Toek Sap prison operated by Regiment 63 of Division 164,²⁰⁷⁶ before their transfer to S-21. This is specifically confirmed in the OCIJ S-21 Prisoner List and by S-21 biographies for a number of the detainees.²⁰⁷⁷ The prisoners who were arrested in 1975 and detained for months at Toek Sap or other Kampong Som security centres included 15- and 16-year-old children.²⁰⁷⁸ Almost all of the Vietnamese and Thai prisoners transferred from Kampong Som to S-21 on 7 May 1976 were killed within a few weeks of their arrival in a mass execution conducted on 24 May 1976.²⁰⁷⁹
547. Twenty-one (21) former Lon Nol soldiers, police, officials, their relatives,²⁰⁸⁰ at least eight Division 3 combatants,²⁰⁸¹ and hundreds of other civilians²⁰⁸² were sent to S-21 from Kampong Som on other dates over the course of the DK regime, including a group of eight former Lon Nol officers sent on 21 August 1976.²⁰⁸³ The prisoners sent to S-21 from Kampong Som also included 10 former railway workers and their spouses, six of whom entered S-21 on the same day, 27 December 1976.²⁰⁸⁴
548. In 1978, at least 150 Vietnamese nationals were captured and sent to S-21 by Division 164, after the DK Government broke off diplomatic relations with Vietnam on 31 December 1977, and **Meas Muth** vowed in a telegram sent to Office 870 that same day that he would “[sweep] cleanly away and without half-measures the uncover[ed] elements of the enemy, whether the Yuon or other enemies.”²⁰⁸⁵ The Vietnamese prisoners who were sent from Kampong Som to S-21 in 1978 include:

- (a) Vu Dinh Ngor, a Vietnamese marine captured and sent to S-21 on 3 January 1978,²⁰⁸⁶ who Duch recalled was the first Vietnamese soldier arrested after the

cessation of relations between DK and Vietnam,²⁰⁸⁷ and whose confession was broadcast on DK Radio later that month,²⁰⁸⁸

- (b) a Vietnamese lieutenant captured at sea and sent to S-21 on 18 January 1978,²⁰⁸⁹ two soldiers from Koh Tral (Phu Quoc) island arrested at sea on 24 and 25 January 1978,²⁰⁹⁰ three corporals and two lieutenants sent in February 1978,²⁰⁹¹ and another three corporals and two lieutenants captured at sea and sent to S-21 in March 1978,²⁰⁹²
- (c) a 50-year-old Chinese man who had fled to Vietnam in 1970, a 54-year-old boat mechanic, an 18-year-old Chinese fisherman from Vietnam and a Khmer Krom fisherman sent to S-21 on 5 February 1978;²⁰⁹³
- (d) two Vietnamese children aged 15 and 17 captured at sea and accused of being “spies,” who were sent to S-21 on 11 and 16 February 1978 and executed on 27 March 1978;²⁰⁹⁴
- (e) three Vietnamese sent to S-21 on 14 February 1978,²⁰⁹⁵ a group of 16 Vietnamese sent to S-21 on 21 February 1978²⁰⁹⁶ that included 15 and 16-year-old boys,²⁰⁹⁷ five Vietnamese men sent on 24 February and 10 March 1978,²⁰⁹⁸ and one other captured at sea in March 1978;²⁰⁹⁹
- (f) 15 Vietnamese or Chinese-Vietnamese business people²¹⁰⁰ and five Khmer Krom fishermen or rice farmers²¹⁰¹ from Koh Tral (Phu Quoc island) sent to S-21 on the 21st of March 1978;
- (g) a group of 30 Vietnamese men and women, many from Poulo Wai island, who were captured at sea on 28 or 30 March 1978 and sent to S-21 on 1 April 1978;²¹⁰²
- (h) a group of seven Vietnamese, some identified as “Bandits of Binh Nhy” (former soldiers), sent to S-21 on 18 April 1978 and executed ten days later;²¹⁰³
- (i) two Vietnamese corporals sent to S-21 on 27 April 1978;²¹⁰⁴
- (j) three “Doing Ricefield” Vietnamese sent to S-21 on 28 April 1978 and executed one week later,²¹⁰⁵ 12 Vietnamese sent on 1 May 1978²¹⁰⁶ (a number

of whom were executed within five days of their arrival²¹⁰⁷), and another 11 persons sent on 12 May 1978,²¹⁰⁸ which group included a 14-year-old student,²¹⁰⁹

(k) six ethnic Chinese from Vietnam who were sent to S-21 on 13 July 1978;²¹¹⁰

(l) a 49-year-old purported “spy” captured at Poulo Wai island on 2 September 1978,²¹¹¹ and nine Vietnamese fishermen sent to S-21 on 6 September 1978,²¹¹² including a 15-year-old boy,²¹¹³ and

(m) four purported Vietnamese spies sent to S-21 on 12 November 1978.²¹¹⁴

549. The S-21 prisoners sent by Division 164 also included a number of Westerners who were arrested at sea by the DK Navy and sent to S-21,²¹¹⁵ namely:

(a) American nationals Lance (or Lee) McNamara and James William Clark, who entered S-21 on 23 April 1978;²¹¹⁶

(b) Kerry George Hamill from New Zealand and John Dawson Dewhirst from Britain, who were captured on the *Foxy Lady* yacht near Koh Tang on 13 August 1978;²¹¹⁷

(c) Australians Ronald Keith Dean and David Lloyd Scott, captured near Poulo Wai island on 2 November 1978;²¹¹⁸ and

(d) Americans Christopher Edward Delance and Michael Scott Deeds, who entered the S-21 prison on 26 November 1978.²¹¹⁹

550. In addition, the S-21 prisoners for whom **Meas Muth** was responsible included 38 people from Kratie Province whose arrest was overseen by **Meas Muth** in December 1978,²¹²⁰ as discussed in detail in *VIII.I. Purge of Division 117 and Sector 505*. The prisoners who were sent to S-21 from Sector 505 and Division 117 as part of this late 1978 purge included:

(a) Sector 505 Secretary Meas Moeun (cousin of **Meas Muth**)²¹²¹ and Sector Deputy Secretary Chhim Khon,²¹²²

(b) Snuol District Secretary Chhum Chin (or Chen) alias Phoan, and Kratie District Secretary Huon Yeng,²¹²³

(c) Division 117 Secretary Khun Rum or Rom (nephew of **Meas Muth**), Deputy

Secretary Roat Leang and Division Office Chief Svay Naunh,²¹²⁴

- (d) three Regiment commanders from Division 117: Regiment 15 Secretary Kel Sophan alias Phan, Regiment 81 Secretary Chap Hoeun, and Regiment 82 Secretary By Ry (or Vy);²¹²⁵
- (e) 22 others from Sector 505, including a number of commune and cooperative chiefs, all of whom entered S-21 on 27 December 1978 and were executed four days later on 31 December 1978;²¹²⁶ and
- (f) six persons purported to be Vietnamese spies, also sent from Kratie on 27 December 1978.²¹²⁷

551. In total, as detailed above, at least 706 prisoners were sent to S-21 from or by the DK organisations for which **Meas Muth** was responsible: 67 cadres from Division 164 or former Southwest Division 3; two cadres from Division 1 and 2; 32 people from Kratie (Division 117 and Sector 505, excluding the six Vietnamese spies arrested in Kratie); 194 Vietnamese or Khmer Krom (including the six Vietnamese spies arrested in Kratie), 58 Thais, and eight Westerners captured at sea or on the islands; 21 former Lon Nol soldiers or officials from Kampong Som; 73 Kampong Som civilians; and 251 Kampong Som port workers.²¹²⁸

552. Moreover, as evidenced by the minutes of the RAK Division Secretaries meetings he attended,²¹²⁹ **Meas Muth** shared the goals of a common criminal plan to purge (arrest, detain and usually execute without any legal process) all RAK Divisions, Independent Regiments and the General Staff of those suspected by the CPK of political disloyalty. As detailed above, **Meas Muth** made his own substantial contributions to this plan, and he understood and intended that substantial numbers of people from other Divisions would also be arrested, imprisoned, and executed at S-21 and other RAK security centres.²¹³⁰ As a member of this JCE, **Meas Muth** therefore also bears responsibility for the roughly 4,800 other RAK prisoners who were sent to S-21.²¹³¹

5. CRIMES

IMPRISONMENT AND UNLAWFUL CONFINEMENT

a) Deprivation of Liberty of Persons Sent to S-21

553. Prisoners entered S-21 handcuffed and blindfolded,²¹³² remained so while registered,²¹³³ and were then taken by guards to cells and placed in shackles.²¹³⁴ As detailed in the *Other Inhumane Acts* section below, the prisoners remained permanently shackled in their cells the entire time they were at the S-21 compound, except when taken out for interrogation or execution.
554. S-21 typically held between 1,000 and 1,500 persons.²¹³⁵ Prisoners were detained in the three-story school buildings located within the S-21 compound. Buildings B, C and D were used for the detention of ordinary prisoners,²¹³⁶ and contained both large detention rooms and small cells only 2 by 1.5 metres in size.²¹³⁷ Senior CPK cadres, foreigners, and Vietnamese prisoners were processed and detained at the Special Prison,²¹³⁸ which was initially located in houses to the south of the compound, but later in Building A (which was also used for interrogation).²¹³⁹ S-21 lists confirm that the high-ranking CPK cadres detained at the Special Prison included some of the prisoners for whom **Meas Muth** was responsible,²¹⁴⁰ as discussed in the preceding section.
555. The prison compound was surrounded by a corrugated zinc outer fence²¹⁴¹ and a wrought iron inner fence “covered with barbed wire.”²¹⁴² One of the prison fences was electrified.²¹⁴³ Detainees were also prevented from escaping by the three levels of guards²¹⁴⁴ who were assigned to patrol inside the prison,²¹⁴⁵ outside the walls of the compound²¹⁴⁶ and in the surrounding neighbourhood.²¹⁴⁷ As a result of these security measures, almost no one was ever able to escape from S-21.²¹⁴⁸

b) Lack of Due Process

556. There was no due process or any legal process at all in the DK regime. Decisions to arrest and imprison people at S-21 were made at the whim of those in power such as **Meas Muth**, without the involvement or oversight of any judicial body. Individuals were often arrested solely on the basis of torture-induced confessions that named long lists of purported traitors or enemies of the regime.²¹⁴⁹ Regardless of how prisoners wound up at S-21, they were not

informed of their rights or the charges against them, or even of the reason for the arrest.²¹⁵⁰ Nor were they entitled to challenge their arrest and imprisonment through any judicial mechanism, as DK authorities did not establish courts, criminal codes, or legal processes.²¹⁵¹

557. Duch has acknowledged the innocence of people imprisoned at S-21, admitting that many of the prisoners he personally knew were “wrongly” arrested.²¹⁵² As affirmed by Duch and other S-21 cadres, once these victims were branded enemies by the CPK leaders and sent to S-21, their fate was sealed.²¹⁵³

c) Documentation of Prisoner Entries

558. S-21 used a meticulously detailed record system to keep track of prisoners, including daily entry lists,²¹⁵⁴ photographs,²¹⁵⁵ prisoner biographies,²¹⁵⁶ interrogation logs²¹⁵⁷ and execution lists.²¹⁵⁸ Most of these records were prepared by Suos Thy and the Documentation Unit,²¹⁵⁹ which was based in Building E and registered the names, positions, and places of origin of prisoners upon their arrival at S-21,²¹⁶⁰ recorded the building and cell numbers in which each person was imprisoned,²¹⁶¹ and prepared individual files for each prisoner that included their biographical information and photograph.²¹⁶² These contemporaneous records establish both the number and identity of the victims imprisoned at S-21.
559. Based on a review of available S-21 records that focused primarily on prisoner entry lists,²¹⁶³ an OCIJ analyst compiled a list identifying a total of 15,101 people who are documented as being detained at the S-21 security office.²¹⁶⁴

OTHER INHUMANE ACTS, WILFULLY CAUSING GREAT SUFFERING OR SERIOUS INJURY

560. S-21 prisoners were subjected to conditions so inhumane that survivors have said they felt they were no longer human beings.²¹⁶⁵ Duch has admitted that “inhumane detention and living conditions” were among the crimes committed at S-21.²¹⁶⁶ The evidence establishes that all prisoners detained at S-21, including those sent from Division 164 and Kampong Som, were subject to such inhumane treatment. Moreover, the conditions at S-21 were of the same nature to those at the Division 164 security centres for which **Meas Muth** was responsible that are addressed in other sections of this Submission.

561. Use of Shackles: Most prisoners were held in large common cells with between 20 and 40 prisoners who were shackled by the ankle to long iron bars in rows of 10.²¹⁶⁷ They remained permanently shackled in their cells, 24 hours a day,²¹⁶⁸ even while eating,²¹⁶⁹ sleeping,²¹⁷⁰ going to the bathroom,²¹⁷¹ being washed by hoses,²¹⁷² or receiving medical treatment.²¹⁷³ Prisoners' ankle shackles remained on when they were taken for interrogation, so they could be restrained in the interrogation room.²¹⁷⁴ Some prisoners still bear scars from their shackles decades later.²¹⁷⁵
562. Other S-21 prisoner regulations were also strictly imposed.²¹⁷⁶ Prisoners were not allowed to talk to each other or make any noise.²¹⁷⁷ Even while sleeping at night, if prisoners "moved and then the chain made sound," they would be beaten.²¹⁷⁸ Prisoners were not allowed to go outside their cells for fresh air, sunlight, or exercise.²¹⁷⁹ They were not allowed to stand, sit up, or move without permission from the guards.²¹⁸⁰
563. Food Rations: Prisoners at S-21 were subjected to starvation while surplus food produced at Prey Sar was being delivered to the Standing Committee.²¹⁸¹ They received two small meals a day, usually consisting of a few spoonfuls of thin gruel.²¹⁸² As a result of the meagre food rations, the detainees experienced severe hunger,²¹⁸³ and became skinny, ill, and weak.²¹⁸⁴
564. Lack of Hygiene: Hygiene conditions at S-21 were appalling. Prisoners were forced to relieve themselves in ammunition boxes and plastic containers inside their cells²¹⁸⁵ while remaining shackled.²¹⁸⁶ The cells were only cleaned when the stench became intolerable.²¹⁸⁷ If urine or faeces leaked onto the floor from the containers, prisoners were beaten or forced to lick up the overspill.²¹⁸⁸ Prisoners were not permitted to clean themselves, and instead were hosed down in groups by guards when the cells were washed.²¹⁸⁹
565. Disease-Ridden Prisoners: Many prisoners fell ill as a result of these conditions, suffering from diarrhoea, dysentery, beriberi, malaria, and other diseases.²¹⁹⁰ They developed skin rashes and were infested with lice.²¹⁹¹ S-21 prisoners died from illness almost every day, particularly during the 1977-78 period when the prison was at its most crowded.²¹⁹² Their corpses remained in the cells shackled next to the other prisoners for hours.²¹⁹³ The

deceased prisoners were eventually taken away and buried by S-21 cadres in the vicinity of the compound.²¹⁹⁴

566. The prisoners who died from disease at S-21 included eight of the thirteen prisoners from Kampong Som and Division 164 who entered on 21 and 28 August 1976, all of whom died within a few days or weeks of their arrival at S-21,²¹⁹⁵ indicating that this group of prisoners was sent by **Meas Muth** in extremely poor health condition.

567. Lack of Medical Care: S-21 detainees did not receive proper medical care for their illnesses and injuries. Medical care was usually only administered to keep prisoners alive long enough to complete their interrogations.²¹⁹⁶ The medics who worked at S-21 were inadequately trained and equipped.²¹⁹⁷ Medicines were in short supply, and often consisted of ineffective locally produced products.²¹⁹⁸ Many S-21 medics were arrested and imprisoned, including the unit chief and 20 other medics arrested in mid-1978.²¹⁹⁹ By the end of the regime, only child medics remained.²²⁰⁰

568. Environment of Fear/Suicides: The inhumane conditions and other mistreatment stripped S-21 prisoners of all dignity and hope.²²⁰¹ Prisoners regularly heard other prisoners being tortured,²²⁰² and saw them return to their cells with visible injuries.²²⁰³ The prisoners' state of complete despair led many to attempt suicide, sometimes successfully,²²⁰⁴ including Division 164 hospital chief Soem Neam alias Sok, who hung himself on 4 May 1977.²²⁰⁵

INTERROGATIONS AND USE OF TORTURE

569. As admitted by the prison chairman and S-21 interrogators and recorded in annotations and surviving notebooks of those interrogators, torture was systematically used on all prisoners interrogated at S-21 in order to obtain their confessions.

a) Systematic Use of Torture During S-21 Interrogations

570. Interrogations at S-21 were conducted in a highly coercive environment. Prisoners were handcuffed and blindfolded when they were removed from their cells and walked by guards to the interrogation rooms,²²⁰⁶ where they were shackled to a table while questioned.²²⁰⁷ They were interrogated, sometimes for months, in sessions that began at 7 a.m. and ended at 10 or 11 p.m.,²²⁰⁸ in a weakened condition due to lack of food and sleep.²²⁰⁹ Depending on the status of their interrogation, prisoners were assigned either to: (i) the hot group,

which beat and tortured prisoners to obtain answers; (ii) the chewing group, otherwise known as the documentation group, which conducted long interrogations in which the prisoner was asked the same question over and over and subjected to physical torture to get the desired response; or (iii) the cool group, which used verbal cajoling, harassment and threats, but no physical mistreatment.²²¹⁰

571. S-21 interrogators were instructed to take an “absolute stance” that all prisoners were enemies from whom confessions must be extracted.²²¹¹ As S-21 Chairman, one of Duch’s admitted duties was to train interrogators to “dare to torture,”²²¹² and he conducted regular training sessions at which S-21 interrogators were instructed on how to interrogate and torture prisoners.²²¹³

572. Duch admitted that the use of physical torture was “inevitable,” and that there were only one or two cases in which S-21 detainees were not tortured when interrogated.²²¹⁴ Other S-21 cadres also confirmed that torture was regularly used during interrogations of detainees.²²¹⁵ As instructed at one of the S-21 interrogators’ study sessions:

The enemy does not confess to us easily. When they confess when we do politics, they confess at the very lowest level. ***Torture cannot be avoided. It only differs as to whether it is a little or a lot,*** that’s all.²²¹⁶

b) Methods & Forms of Torture Used at S-21

573. Duch testified there were four types of torture primarily used at S-21, as authorised by his superiors: (1) beatings; (2) electric shocks; (3) suffocation using plastic bags; and (4) waterboarding.²²¹⁷

574. Beating detainees with whips, wire, and sticks was the predominant method of torture at S-21.²²¹⁸ S-21 interrogators also regularly used electrocution.²²¹⁹ They administered shocks by attaching electric wires to the ears, toes, and genitals of prisoners,²²²⁰ often rendering them unconscious.²²²¹ David Chandler states that electrocution was used “so commonly” at S-21 that prisoners received an instruction “not to scream when electric shocks were applied.”²²²²

575. Special Zone Secretary (and future Standing Committee member) Vorn Vet taught Duch the technique of using plastic bags to suffocate prisoners during interrogation.²²²³ S-21 interrogators confirm they were instructed on and used this method of torture.²²²⁴ Duch

admits that one prisoner died while being suffocated.²²²⁵ Duch also testified that Son Sen approved a form of waterboarding, in which interrogators covered prisoners' mouths with a scarf or towel and poured water on them.²²²⁶

576. Other methods of torture used at S-21 included: burning with cigarettes and electric lamps;²²²⁷ freezing with cold water and fans;²²²⁸ puncturing or ripping out fingernails and toenails;²²²⁹ force-feeding of excrement and urine;²²³⁰ driving a stick into female genitalia;²²³¹ and tightening the shackles of the prisoner.²²³²
577. Some of the so-called "cold method" forms of interrogation were designed to inflict severe trauma, distress and severe mental suffering, and therefore also constituted torture. The psychological torture employed by interrogators included: threatening the "welfare" of the prisoner's spouse and children;²²³³ forcing prisoners to pay homage to images of dogs bearing the heads of Ho Chi Minh and the U.S. President;²²³⁴ and "[t]hreatening, distracting, breaking them skillfully, arranging small scenes to make them docile and hopeless, seeing that they cannot resist any longer."²²³⁵

c) Injuries Inflicted on Prisoners During Interrogations

578. The authorised forms of torture commonly used at S-21 caused severe pain and suffering, physical and mental, to the prisoners being interrogated. Bou Meng was repeatedly beaten, whipped, and electrocuted with wires attached to his inner thighs near his genitals.²²³⁶ The beatings to his back and head have left him with permanent scars and hearing loss.²²³⁷ Chum Mey was interrogated and tortured for 12 days and nights.²²³⁸ He was beaten,²²³⁹ electrocuted,²²⁴⁰ and had his toenails ripped from his feet.²²⁴¹ As a result, Chum Mey suffers from both hearing and vision loss.²²⁴²
579. The infliction of serious injuries on prisoners undergoing interrogation is also confirmed by admissions of S-21 cadres and surviving prison records. S-21 guards testified that prisoners returning from interrogation had visible wounds and marks from their beatings.²²⁴³ S-21 medics, who were assigned to treat the injuries of tortured prisoners so their interrogations could continue,²²⁴⁴ confirm that such prisoners "underwent great suffering," with "wounds on their backs" that "cut through the outer skin," missing toenails and fingernails, and "torn" ears.²²⁴⁵ Surviving S-21 records contain references to the injuries sustained by prisoners due to beatings and other routinely used forms of torture.²²⁴⁶

d) Use of Torture to Obtain Confessions

580. The purpose of the torture inflicted on S-21 prisoners was to force them to provide confessions and identify purported networks of traitors. As plainly stated in one S-21 interrogator's notebook:

The objective of torturing is to get their answers; it is not done for fun. Therefore, we must make them feel pain so that they will respond quickly. Another objective is to make them afraid. [...] Therefore, beat them to make them scared, but absolutely do not let them die. When torturing, it is imperative to check their health in advance and to inspect the whip. Do not get greedy and want to be quick; that leads to death and the loss of a document.²²⁴⁷

581. S-21 cadres confirm that torture was used for the purpose of extracting confessions.²²⁴⁸ Duch admits that interrogators in the hot unit were authorised to “beat the prisoners immediately if the confession [was] not extracted as they wanted.”²²⁴⁹ S-21 interrogator Prak Khan testified that “99 per cent” of the prisoners initially denied any wrongdoing, and would only confess after days or weeks of interrogation using “cold methods” and other forms of torture.²²⁵⁰ Interrogators were expected to obtain the names of other persons in the “network” of the prisoner.²²⁵¹ Contemporaneous documents clearly show the use of torture by S-21 interrogators to extract confessions.²²⁵² Accounts from surviving detainees also provide a vivid picture of how torture was deployed at S-21 to force ordinary Cambodians, who had never heard of the CIA or KGB, to confess that they were spies for those organisations.²²⁵³

e) Interrogation and Torture of Prisoners Sent to S-21 by Meas Muth

582. As confirmed by the OCIJ S-21 Prisoner List, many of the prisoners sent from Division 164, Kampong Som, Sector 505, and Division 117 underwent interrogations at S-21 and provided confessions.²²⁵⁴ The evidence detailed above clearly establishes that such prisoners undergoing interrogations at S-21 were systematically subjected to the crime of torture.

583. The evidence also establishes **Meas Muth**'s knowledge of interrogations of the persons his division captured who were sent to S-21. As discussed in detail in *VIII.D.4. Meas Muth's Responsibility for Prisoners Sent to S-21* above, S-21 confessions were circulated to **Meas**

Muth and read by him to cadres at Division 164 meetings.²²⁵⁵ The S-21 confessions circulated to CPK leaders often included summary reports by interrogators expressly describing the use of torture,²²⁵⁶ as confirmed by S-21 Chairman Duch and other sources.²²⁵⁷ Moreover, S-21 confessions of Vietnamese prisoners captured at sea by Division 164 were broadcast on the DK radio throughout 1978,²²⁵⁸ and propaganda films were made of the Vietnamese soldiers captured and detained at S-21.²²⁵⁹ A number of witnesses have specifically confirmed that torture was employed during interrogations of the Vietnamese prisoners sent to S-21.²²⁶⁰

MURDER, EXTERMINATION, AND WILFUL KILLING

a) Systematic Killing of Prisoners Sent to S-21 on a Massive Scale

584. Duch and other S-21 cadres confirm that virtually every person detained at S-21 was killed.²²⁶¹ The only exception was a handful of people who were deemed useful for their skills and escaped death at the time of the Vietnamese arrival in early 1979.²²⁶² Thus, almost all prisoners sent to S-21 (including those sent from Division 164 and Kampong Som) were victims of extrajudicial murder.

585. The evidence also clearly demonstrates that killing on a massive scale took place at S-21. Execution lists prepared by S-21 Deputy Chief Hor and Suos Thy²²⁶³ record at least 27 instances of mass executions exceeding 100 prisoners, mostly during the intense purges of 1977 and 1978.²²⁶⁴ The executions on these 27 days alone took the lives of over 5,000 S-21 prisoners.²²⁶⁵ With regard to regular day-to-day executions, the S-21 guard responsible for transporting prisoners out of S-21 to Choeung Ek testified that the “average” execution was “from 50 prisoners up to 100 of them.”²²⁶⁶ One of the mass executions at S-21, which took place on 24 May 1976, consisted of the Vietnamese and Thai prisoners who had been captured by the DK Navy and transferred from Kampong Som to S-21 on 7 May 1976.²²⁶⁷

b) Executions at S-21 Compound and Takhmau

586. In the initial phase of S-21, executions of prisoners were conducted at the Takhmau prison site.²²⁶⁸ After the prison began operations at the Ponhea Yet school in April 1976, executions were conducted in the area around the S-21 compound.²²⁶⁹ The guard unit took prisoners out of the compound at night and killed them in the same manner as at Choeung

Ek: prisoners were struck in the head, their throats slit open, and their bodies dumped into pits and buried.²²⁷⁰

587. Even after Choeung Ek was established, certain groups of prisoners continued to be killed in the area outside the main S-21 compound in Phnom Penh. High-ranking CPK cadres and other important prisoners who were separately detained at the Special Prison were not sent to Choeung Ek for execution, but instead were killed in the vicinity of Tuol Sleng.²²⁷¹ Photographs were taken of corpses of important prisoners and sent to Son Sen or Nuon Chea as proof of their execution.²²⁷² The S-21 prisoners whose executed bodies were photographed included Division 164 Deputy Secretary Hoeng Doeun alias Dim and other high-ranking RAK cadres.²²⁷³
588. Vietnamese, Westerners and Thai prisoners, including those captured by Division 164, were also killed in the area around the S-21 compound, rather than being sent to Choeung Ek.²²⁷⁴ S-21 Chairman Duch has admitted that the Thai fishermen captured by Division 164 were all executed,²²⁷⁵ as were the “hundreds” of Vietnamese prisoners sent to S-21.²²⁷⁶ The Vietnamese prisoners were typically killed soon after their arrival at S-21,²²⁷⁷ including the group discussed above that was sent from Kampong Som on 7 May 1976 and executed on 24 May 1976. The Vietnamese executed at S-21 included babies²²⁷⁸ and other children.²²⁷⁹ A mass execution of Vietnamese prisoners on 27 March 1978 included three Vietnamese children captured at sea aged 15, 16 and 17.²²⁸⁰
589. The Westerners who had been captured at sea and sent to S-21 by Division 164 were also executed in the vicinity of the Tuol Sleng compound.²²⁸¹ Their bodies were burned after their execution so as not to leave any evidence of their remains.²²⁸²

c) Executions at Choeung Ek

590. After S-21 began using Choeung Ek as an execution site in early 1977, most prisoners were executed there and buried in large pits dug by a team of guards stationed at the site.²²⁸³ Executions usually took place at night.²²⁸⁴ After receiving the names of the prisoners to be executed from S-21 Deputy Chief Hor, Suos Thy would prepare a list for the guards to use to collect those prisoners.²²⁸⁵ Him Huy’s guard unit took the listed prisoners from their cells, placed them on trucks handcuffed and blindfolded, and transported the prisoners from the S-21 compound to the wooden house at Choeung Ek.²²⁸⁶

591. At Choeung Ek, the prisoners were received by Tay Teng's unit and taken from the wooden house, one at a time, to be killed.²²⁸⁷ The victims were ordered to sit or kneel down at the edge of a pit, and were struck on the back of the neck with an "iron bar," "oxcart axle," "pipe" or similar club-like instrument, after which their throats were slit with a knife, their cuffs and clothes removed, and their bodies dumped into the grave pit.²²⁸⁸ Executions at Choeung Ek "took hours,"²²⁸⁹ and were overseen by S-21 Deputy Chief Hor.²²⁹⁰ Him Huy recorded the names of each executed prisoner, and delivered the list back to Suos Thy.²²⁹¹
592. The massive scale of killing at Choeung Ek was confirmed by an exhumation conducted between 1981 and 1983, in which 86 of the 129 mass graves at Choeung Ek were exhumed and a total of 8,985 corpses recovered.²²⁹² The bones remained on the ground next to the pits for at least two years²²⁹³ and then were stored in an open, unprotected wooden hut for another three to four years.²²⁹⁴ As a result, only 7,500 skulls remained when they were counted by a Vietnamese forensics team in 1988 before being placed in an encased memorial.²²⁹⁵ Further loss of bones occurred over the ensuing decades, as the stupa was not adequately sealed against rats and insects,²²⁹⁶ and some skulls were removed for exhibitions or studies and never returned.²²⁹⁷
593. From 2013 to 2015, a team led by expert Voeun Vuthy conducted a comprehensive analysis of the bones in the Choeung Ek stupa.²²⁹⁸ Of the 6,426 crania examined by Voeun Vuthy's team, "only one skull" did not contain evidence of trauma.²²⁹⁹ A total of 28,000 marks of trauma were identified on the skulls, with each skull containing multiple fractures, holes or other such markings.²³⁰⁰ The most common forms of trauma observed on the skulls were consistent with the victims having been struck in the head with clubs, sticks, axles, or similar such instruments: 9,802 marks consistent with "wood or bamboo sticks"; 5,806 marks consistent with a steel bar or axle bar; and 2,435 marks consistent with "square sticks."²³⁰¹ The evidence from Voeun Vuthy's study helps quantify the scale of killing that took place at Choeung Ek, and corroborates the testimony of S-21 cadres as to the usual method by which victims were killed at the site.

E. STUNG HAV WORKSITES

1. SITE DESCRIPTION

594. During the DK period, Stung Hav (transliterations include Stung Hau, Stung Hay, Stung Hav, Steung Hav, or Stoeung Hao) was a group of worksites and related facilities that operated under Division 164 in the north of Kampong Som Sector, in Stung Hav Commune.²³⁰² There were two main projects in Stung Hav during the DK regime: the construction of a new military port,²³⁰³ including a pier at the most northerly point of Stung Hav commune;²³⁰⁴ and a road connecting the new port to the oil refinery to the west.²³⁰⁵ The construction of the port, pier, and road entailed a number of worksites and subsidiary projects. These included, in addition to the construction of the road and pier, projects to: clear and level land; reinforce and shape the shoreline; quarry, break, and transport rock for the use in port, pier, and road;²³⁰⁶ construct a new railway; build a water reservoir; and, farm various crops.
595. Buildings in Stung Hav included a Division 164 Regimental field headquarters,²³⁰⁷ an office for Chinese technical advisors,²³⁰⁸ a jail, housing for the labourers,²³⁰⁹ and potentially a medical facility of some sort.²³¹⁰
596. Work began in Stung Hav from the middle or end of 1975 or early 1976,²³¹¹ and continued until the Vietnamese overthrew the Khmer Rouge.²³¹² DK authorities continued to send workers to Stung Hav through 1978.²³¹³ Construction on the port²³¹⁴ and road both began in 1976. The road was completed in 1976, whereas the work on the port and pier had not been completed by the time of the fall of the DK regime.²³¹⁵ The road from the pier to the oil refinery was 13 kilometres long and took six months to build.²³¹⁶ At least one of the rock quarries was still in use when the DK regime fell.²³¹⁷
597. The pier was at the end of the road leading from the Stung Hav oil refinery, which was located to the west on a promontory near Kampong Som City.²³¹⁸ By the time the Vietnamese overthrew the DK regime, the pier had a length of 400 metres, a width of 12 metres and up to around 5 metres in depth. The shore line at the port had been cleared, and straightened with rocks at a length of 300 metres and a depth of 50 metres.²³¹⁹ It is possible that to the east of the pier the Khmer Rouge constructed breakwater, known as the Tumnob

Rolok Thmei Dam (New Wave Dam), to protect the pier and port, or this evidence may be discussing the construction of the pier itself.²³²⁰

598. There were multiple rock quarries that produced stone for the port, road, and pier and/or breakwater.²³²¹ One witness stated that during the DK regime each of the quarries was known by the name of the unit stationed there.²³²² There were at least three quarries to the west of the north/south road leading to the pier,²³²³ as well as quarries farther west to the south of the road to the refinery (including one known as Mountain 103)^{2324 2325}. The three quarries to the west of the north/south road were themselves situated on a north-south axis and located less than 100 metres from each other. They were of varying size, ranging up to 44 metres wide, 40-60 metres deep, and six metres high.²³²⁶ The Khmer Rouge may have intended to ultimately convert some of the quarries into storage areas.²³²⁷
599. Not all of the quarries were operational for the entire duration of the work in the area. In addition, there is evidence that rock was brought in from other quarries outside of Stung Hav, including from Au Mlou (near Kang Keng),²³²⁸ Khleang Leu,²³²⁹ Slab Ta Aon, and Kampong Trach.²³³⁰ There were also multiple rock-breaking sites at Stung Hav, where the quarried rock would be broken into varying sizes depending on the need of the project before being transported to the site.²³³¹
600. Some machinery provided by the Chinese was in use at Stung Hav, and it seems that the use of machinery may have increased over time.²³³² Evidence shows that trucks were sometimes used to transport rocks, machines were available to crush rocks,²³³³ and rollers, excavators, and bulldozers were used on the road.²³³⁴ In addition, dynamite was used to assist in quarrying rocks.²³³⁵ However, the evidence also shows that much of the quarrying, construction, and other work was done by hand.²³³⁶ As one witness stated, “I experienced hardship and suffering when I worked and stayed at the rock-breaking worksite. They did not use machinery to lift the rocks; they used human labour. We had to use all our energy to carry those rocks”.²³³⁷
601. There were two water tanks built in the south of Stung Hav, likely in 1977 or 1978.²³³⁸ The first water tank facility was along the main village road and east of the rock quarries.²³³⁹ It was completed over a one month period with the assistance of Chinese advisers.²³⁴⁰ The second water tank facility was about one kilometre away and farther south than the first.²³⁴¹

602. Approximately 40 Chinese advisors²³⁴² to Division 164 were stationed in a house approximately two kilometres south of the pier²³⁴³ close to the regimental field headquarters.²³⁴⁴ The advisors²³⁴⁵ provided expertise regarding various technical matters including surveying,²³⁴⁶ methods of quarrying rock,²³⁴⁷ road construction,²³⁴⁸ and construction of the pier²³⁴⁹ and/or breakwater.²³⁵⁰
603. There were multiple encampments for labourers. One encampment held a group of about 100²³⁵¹ labourers labelled “bad elements”. The group, possibly named Company 17, was located just south of the quarries to the west of the north/south road.²³⁵² But there were other locations where labourers lived as well.²³⁵³ The workforce was primarily composed of demobilised cadres,²³⁵⁴ however, there may have been a small number of civilians sent to Stung Hav for tempering as well.²³⁵⁵ Although only males worked at the quarries, women also worked at Stung Hav, including at the road and port construction sites.²³⁵⁶
604. Aside from demobilised cadres, active Division 164 cadres were stationed at Stung Hav to carry out supervisory and security functions.²³⁵⁷

2. AUTHORITY STRUCTURE

605. The Stung Hav worksites operated under the supervision of Division 164.²³⁵⁸ Multiple witnesses confirmed that **Meas Muth** visited Stung Hav on a number of occasions, sometimes as frequently as weekly,²³⁵⁹ where he would meet with the Chinese advisors within sight of the road, pier, port, rock breaking locations, and quarries.²³⁶⁰ **Meas Muth**’s younger brother, Meas Im, who worked at the site, told OCIJ investigators that **Meas Muth** consistently visited Stung Hav from at least mid-1976²³⁶¹ until **Meas Muth** moved to Phnom Penh and the East Zone.²³⁶² **Meas Muth** would also occasionally stay at Stung Hav overnight when he visited.²³⁶³
606. **Meas Muth** held meetings at Stung Hav when he was there.²³⁶⁴ In mid-1977, **Meas Muth** held a meeting in a location approximately two kilometres from the port²³⁶⁵ to convey Party policies to cadres. At the meeting, he announced the existence of the CPK,²³⁶⁶ and “spoke about those who betrayed the Party, and he said that those accused of treason had to be rounded up and put in one place”.²³⁶⁷ In his speech, **Meas Muth** accused particular

Division 164 soldiers of being “traitors” including Norng Chhan alias Chhan, and Hang Doeun alias Dim.²³⁶⁸ **Meas Muth** talked for 2-3 hours and was the sole speaker.²³⁶⁹

607. Stung Hav was discussed in Division 164 meetings.²³⁷⁰ Extant meeting minutes show that, in relation to Stung Hav, **Meas Muth** was apprised of matters concerning targeting “bad people,” arrests of persons who attempted to escape, the categorisation of persons as “enemies”, the utilisation of “biographies” to determine who was an enemy, arrest and interrogation of enemies, that enemies who are “soldier elements must be rounded up”, and workers’ complaints that the conditions at Stung Hav were so terrible, “[w]e all will be dead!”²³⁷¹
608. Meas Im worked in the construction unit of Stung Hav. In his WRI, he said that the chief of his unit was Regiment 62 Secretary Iek Manh,²³⁷² who reported to Meas Im’s brother **Meas Muth**.²³⁷³ **Meas Muth** gave orders to Meas Im through Manh.²³⁷⁴ Iek Manh had telephone and telegram equipment in his house in Stung Hav to facilitate communication with **Meas Muth**, and that equipment was used to receive orders from him.²³⁷⁵ **Meas Muth**’s orders included instructions to construct the road to the oil refinery and to the pier and to level the ground “from the foot of the mountain to the Stung Hav beach”.²³⁷⁶ In addition to travelling to Stung Hav himself, **Meas Muth** received telegrams concerning matters at Stung Hav.²³⁷⁷ Prior to their arrests, both of **Meas Muth**’s deputies, Dim and Chhan, had some responsibility for Stung Hav,²³⁷⁸ and they and others would hold meetings there where it was emphasised that everyone had to work hard.²³⁷⁹
609. At least a portion of Regiment 61 of Division 164 was stationed at Stung Hav for a period.²³⁸⁰ One witness said that a battalion within Regiment 61 was the guard unit at Stung Hav.²³⁸¹
610. Meas Im also had some authority at Stung Hav. He first stated that he had been promoted by Dim to the position of chief mechanic of the Division at Stung Hav,²³⁸² but later claimed that he “managed only two or three tractors”.²³⁸³
611. Members of various units, all ultimately under **Meas Muth**’s authority, served or worked at Stung Hav over its existence. Sometimes demobilised cadres from different Division 164 units were put in, new, mixed, “production units”²³⁸⁴ when they arrived at Stung Hav. Units present at Stung Hav in either an active or demobilised capacity included: units within

Regiment 63, under Secretary Sin Chorn alias Chorn,²³⁸⁵ and Deputy Secretary Kim Nhan alias Nhan;²³⁸⁶ independent Battalion 165/450;²³⁸⁷ Regiment 140 under Sun Mot;²³⁸⁸ Regiment 460 under Chhan²³⁸⁹; independent female Battalion 167²³⁹⁰ under Lim Leang²³⁹¹ including Company 32²³⁹² and Company 33;²³⁹³ Battalion 20;²³⁹⁴ Battalion 21;²³⁹⁵ Battalion 386;²³⁹⁶ Battalion 612;²³⁹⁷ and, “Bad Element” units Company 17,²³⁹⁸ Company 18,²³⁹⁹ Company 19,²⁴⁰⁰ and Company 23.²⁴⁰¹ Other Stung Hav supervisors at the regimental or battalion level named in the evidence include Hoeun,²⁴⁰² Lan,²⁴⁰³ Kan,²⁴⁰⁴ Dan,²⁴⁰⁵ and Phan.²⁴⁰⁶

612. Meetings were regularly held amongst the supervisors at Stung Hav, which were attended by the heads of the hundred-member units and fifty-member units and groups.²⁴⁰⁷ Witness Long Phansy, Battalion 612 commander in Stung Hav, described attending meetings at Stung Hav with the chiefs of the regiments at the regimental headquarters, which were held either on a daily basis or once every three days.²⁴⁰⁸ He would first meet with his company chiefs before attending these meetings.²⁴⁰⁹

3. CRIMES

ENSLAVEMENT

613. Stung Hav was a tempering site where hundreds and possibly thousands of primarily demobilised Division 164 cadres²⁴¹⁰ who had fallen under suspicion were forced to live and work in conditions that amounted to the crime of enslavement.²⁴¹¹ Exact numbers of workers at the Stung Hav site varied over the years that it operated. Meas Im testified that there were 800 workers at the Stung Hav worksite at one time.²⁴¹² Other witnesses provided evidence of hundreds of people at Stung Hav, including three entire battalions,²⁴¹³ and approximately 250 cadres demobilised from positions on the islands.²⁴¹⁴ Witnesses described “a lot of people” working at the rock quarries,²⁴¹⁵ and estimated that there were around 100 workers in individual units at various places in Stung Hav.²⁴¹⁶ For instance, at the quarries, there were different groups of workers including a truck driving group, a drilling and detonation group, and a rock transport group.²⁴¹⁷
614. Pen Sarin estimated that about 30 unskilled labourers were normally working on the road project at any time, and an additional quantity of technicians operated the machinery.²⁴¹⁸

Numbers varied, however, and an additional group of 40-50 women would also be occasionally sent to work on the road as well.²⁴¹⁹

615. The DK regime exercised various powers attached to the right of ownership over workers at Stung Hav.²⁴²⁰ The regime restricted all fundamental freedoms for the workers and forced them to labour under harsh conditions for the benefit of the regime. Workers could not speak²⁴²¹ or move about freely.²⁴²² As one victim stated “[l]iving conditions were like in a jail because we were not allowed to go anywhere besides the worksite”.²⁴²³ Witnesses observed armed guards as they worked,²⁴²⁴ and those who tried to escape would be arrested and killed.²⁴²⁵ The regime would transfer workers to other locations and workers had no option to refuse.²⁴²⁶ Some victims were sent directly to Stung Hav after falling under suspicion, from places such as Chrouy Changva,²⁴²⁷ Ream port,²⁴²⁸ and Koh Tang,²⁴²⁹ while others were transferred there from other worksites.²⁴³⁰
616. Once sent to Stung Hav,²⁴³¹ victims were forced to work every day without any rest,²⁴³² in all weather.²⁴³³ Witnesses stated that the Khmer Rouge “regarded and treated us as slaves”, and like animals.²⁴³⁴ Victims could not refuse to work for fear of punishment or death,²⁴³⁵ nor could they ask for a reduction in their workload.²⁴³⁶ “We had to leave every morning for work. Whenever they told us to stop, we stopped, and whenever they told us to work, we worked”.²⁴³⁷ Victims felt compelled to do work they did not want to do out of fear for their lives.²⁴³⁸ One witness stated, “the best way for us to stay alive was to keep silent and follow the orders”.²⁴³⁹ Another witness stated, “[t]he work was hard, but we had to endure it”.²⁴⁴⁰ Witness Nong Net felt that they were literally being worked to death: “[a]s a human being who worked in such conditions, I think that the Khmer Rouge wanted to force the people to work beyond their strength until they died. The Khmer Rouge was very cruel. They behaved like this because they wanted the people to die without using other ways”.²⁴⁴¹
617. Truckloads of workers were brought to the quarries every day²⁴⁴² to quarry, break, and transport rock.²⁴⁴³ Workers used picks, crowbars, steel clubs, and hammers.²⁴⁴⁴ Some rocks were so big that two or three people needed to carry them onto trucks, and they could break only a truckload of rocks per day.²⁴⁴⁵ As work at Stung Hav progressed, however, some rock-breaking machinery, cranes, and explosives were introduced by the Chinese.²⁴⁴⁶ Some workers described work quotas that had to be fulfilled.²⁴⁴⁷ For example, the rock transport

group was expected to transport ten truckloads per day.²⁴⁴⁸ A witness assigned to quarry rock stated that if they met their quotas, the quotas were increased.²⁴⁴⁹

618. Labourers were not only required to work at the quarries and rock-breaking sites, but also on the road,²⁴⁵⁰ port construction sites,²⁴⁵¹ and pier and/or breakwater²⁴⁵² construction sites. Road construction encompassed both the road from the oil refinery²⁴⁵³ to Stung Hav, and “the up-and-down road(s) in Stung Hav Worksite”.²⁴⁵⁴ In addition, work included: loading trucks,²⁴⁵⁵ clearing stone blocks,²⁴⁵⁶ making gravel,²⁴⁵⁷ clearing forests and brush,²⁴⁵⁸ building shelters and other structures,²⁴⁵⁹ repairing military ships,²⁴⁶⁰ building railway,²⁴⁶¹ fishing,²⁴⁶² digging pits,²⁴⁶³ digging ponds,²⁴⁶⁴ digging wells,²⁴⁶⁵ growing rice and other crops,²⁴⁶⁶ and minding livestock.²⁴⁶⁷

619. Victims were generally required to work from 6 or 7 a.m. to 11 a.m.²⁴⁶⁸ and from 1 p.m. to 5 p.m.²⁴⁶⁹ However, there were labourers who had to wake up at 4 a.m.,²⁴⁷⁰ and worked continuously until 9.00 p.m.²⁴⁷¹ Witness Nong Net explained that workers were only afforded two ten-minute breaks per day.²⁴⁷² After the regular workday, some workers were required to farm sugar cane and cassava until 7 p.m.,²⁴⁷³ and other witnesses mention night shifts as well, including in the rain.²⁴⁷⁴ As one witness stated, “[w]e did hard labor day and night.”²⁴⁷⁵

620. Additional elements of the Khmer Rouge’s expression of ownership of those enslaved at Stung Hav is also described in the other crimes in this crime site.

PERSECUTION ON POLITICAL GROUNDS

621. Stung Hav was a tempering site,²⁴⁷⁶ and the vast majority of the enslaved labourers at Stung Hav were there because they were being persecuted on political grounds as suspected enemies.²⁴⁷⁷ While senior cadres deemed enemies were sent directly for execution or to security centres,²⁴⁷⁸ Stung Hav was utilised as a place where the DK sent suspect cadres “so they could screen them, separate them out, and find out if we were loyal to them or not.”²⁴⁷⁹ As part of this process, while at Stung Hav workers’ biographies continued to be investigated.²⁴⁸⁰ The Khmer Rouge used various euphemisms for those they had deemed under suspicion of being political “enemies”, including “bad elements”,²⁴⁸¹ and those with “bad tendencies”.²⁴⁸² Categories of military personnel suspected as enemies included all those who had come from the East Zone, Sector 37, all subordinates of purged Division

164 leaders, and those discovered to have ties to the former Lon Nol regime either personally or through family members.²⁴⁸³ At Stung Hav, “bad elements” were singled out for the hardest, and most dangerous, work of breaking and carrying rocks.²⁴⁸⁴

622. Witness Oem Sokhan described what it meant to be tempered at Stung Hav:

When they took us to be tempered, we faced problems. One problem was we did not have enough to eat. When we were sick, there was not enough medicine. We had to work long hours every day. We needed to show the truth if we were sick or not. We could only rest if we were really sick. We had to work if we were not very sick. [...] If we could not finish our assigned work, we would be arrested, mistreated, or taken to be killed.²⁴⁸⁵

623. **Meas Muth** was well aware of the categorisation of persons at Stung Hav into “bad” and “good” elements and personally participated in identifying and separating them. A set of Division 164 Meeting Minutes from September 1976 noted that a group that had attempted to escape Stung Hav were “bad people”.²⁴⁸⁶ The minutes then note, “Recently, the Division commander separated the bad people and sent them to stay at the different places so that they were not mixed with the good people.”²⁴⁸⁷ At that same meeting, Son Sen instructed that the leader of the group be “arrest[ed] and interrogate[d]”, and that the others be put to work while the Khmer Rouge worked to “grasp their biography clearly”.²⁴⁸⁸ Son Sen concluded “The soldier elements must be rounded up.”²⁴⁸⁹

624. Those who fell under suspicion had no opportunity to be redeemed and the harsh treatment they suffered could become even worse if they were suspected of committing various infractions.²⁴⁹⁰ If they were determined to be unreformable enemies, they were arrested or killed.²⁴⁹¹ If “anyone was accused of being an enemy, that person would be officially regarded as an enemy and be taken for execution immediately”.²⁴⁹² Other situations that could cause those already under suspicion to be arrested or killed included discovery of additional negative biographical information,²⁴⁹³ being accused of stealing,²⁴⁹⁴ being accused of being lazy,²⁴⁹⁵ or committing “mistakes” while working.²⁴⁹⁶ In so-called “life-view meetings” that the Khmer Rouge held, those who had committed mistakes, were accused of stealing, or were discovered to come from comparatively well-off backgrounds were identified, removed, and taken to be killed.²⁴⁹⁷

625. Cadres who had fallen under suspicion as enemies were generally demobilised²⁴⁹⁸ and disarmed,²⁴⁹⁹ and then transferred to a “production unit”.²⁵⁰⁰ There were noticeable differences between life as an active cadre in Division 164 and as a demobilised one living under a cloud of suspicion. In addition to being disarmed, demobilised cadres’ living conditions worsened dramatically.²⁵⁰¹
626. Demobilised cadres were stripped of their previous authority in the chain of command. “They removed us from our positions. We were no longer subordinates or superiors. We had the same status.”²⁵⁰² Indeed, being sent to work at Stung Hav was “a kind of punishment because our authority was completely undermined.”²⁵⁰³ Some hierarchy was re-created for some former cadres in the work units at Stung Hav, but nevertheless under the control of the active cadres there. Long Phansy, previously Secretary of Battalion 612, fell under suspicion and was sent to Stung Hav to “run a battalion that was building a port”.²⁵⁰⁴ He stated that it was his belief that he “was in the ranks of the military the same as before, and I still possessed a gun the same as before,”²⁵⁰⁵ even though he did not actually have access to that gun as “the weapons were kept at a warehouse.”²⁵⁰⁶ Moreover, he admitted that he was not treated as before. The Khmer Rouge “kept [him] under surveillance and examination”,²⁵⁰⁷ and eventually they decided he was a full-fledged enemy when members of the unit he supervised broke some equipment and they discovered that his “family was that of the rich, which was a target for them to eliminate” and which rendered him a “CIA-KGB”.²⁵⁰⁸ They then arrested him.²⁵⁰⁹
627. In contrast to the treatment of demobilised cadres, active cadres stationed at Stung Hav “could move around freely.”²⁵¹⁰ “They were healthier than us, and they were not demobilised either. They ate enough. My unit was demobilised because we were affiliated with Ta Chhan, so we did not get enough to eat”.²⁵¹¹ Active cadres acted as supervisors at Stung Hav. “They assigned good elements people to manage us. They said we were traitorous, but we did not know what wrongs we had done”.²⁵¹²
628. One large group of persecuted workers at Stung Hav was former East Zone cadres and Sector 37 cadres.²⁵¹³ When higher-level former East Zone cadres and Sector 37 cadres in Division 164 were purged, the ordinary soldiers under them fell under suspicion and were

sent for tempering in Stung Hav.²⁵¹⁴ One witness stated that sector and company leaders were removed, whereas subordinates were sent to Stung Hav.²⁵¹⁵

629. Witness San Chuon, who was originally from the East Zone and who was sent to Stung Hav, stated that he was branded an enemy after a ship he was tasked with minding sank. In his mobile unit “every last one” of the members “was connected to tendencies like me, for breaking hoes and the like, sinking ships and the like, and being accused of being enemies.”²⁵¹⁶ The “unit” he was placed in was called “the unit of the accused, the concentration unit”.²⁵¹⁷ San Chuon was eventually imprisoned at Stung Hav, and while he was tortured and interrogated he was accused of being an “enemy” and “in league with the Yuon.”²⁵¹⁸
630. Another group of former cadres targeted for their perceived affinity for the Vietnamese was a group of Khmer Rouge soldiers who had been captured by the Vietnamese from an island off of Democratic Kampuchea’s coast that they had been defending.²⁵¹⁹ After being detained for three months, they were released back to DK.²⁵²⁰ Once they returned, they “were no longer trusted”²⁵²¹ because the Khmer Rouge “feared that the Vietnamese had educated us and we had already become KGB or Vietnamese agents”.²⁵²² They were removed from their positions,²⁵²³ and a portion of the soldiers that were captured and returned were eventually sent to work at Stung Hav.²⁵²⁴
631. In addition to demobilised cadres, some “17 April” or “New” people were also sent to work at Stung Hav.²⁵²⁵
632. Other examples of persecutorial conduct towards those sent to Stung Hav for tempering can be seen in the other crimes in this crime site.

MURDER AND ENFORCED DISAPPEARANCES

633. Killings and disappearances of workers at Stung Hav were common.²⁵²⁶ “Stueng Hav was a site for reeducating those people before deciding whether they would be killed or be kept”.²⁵²⁷ Witness Iem Phong described one such event that he witnessed:

One night at 7.00 p.m. or 8.00 p.m., they came to take my unit chief. They did not say they were taking him to be killed. They said they took him to be re-educated. After that, his wife came to ask for her husband,

and I said that he had been away a long time ago, but I did not know where they took him.²⁵²⁸

634. Multiple witnesses testified that various circumstances would result in those who were already in the perilous “tendencies” category being taken away to be killed,²⁵²⁹ or never to be seen again.²⁵³⁰ These included attempts to escape from Stung Hav.²⁵³¹ When victims disappeared or were killed, the Khmer Rouge sometimes stated that they were taken to be reeducated,²⁵³² taken for studies,²⁵³³ or sent to work at other places.²⁵³⁴ “If they suspected us, they would take us away, and we never knew where they would take us. I never saw the personnel taken away return”.²⁵³⁵ Victims detained at Stung Hav prison also disappeared.²⁵³⁶ It is likely that those who disappeared met the same fate as the persons detained with Nong Net, who were led out and killed after being arrested.²⁵³⁷
635. Approximately one week before the Vietnamese arrived, male workers from the East Zone were arrested by members of a special battalion at Stung Hav and placed on a truck.²⁵³⁸ Some of this group managed to escape into the forest.²⁵³⁹ Witness Oem Sokhan confirmed that one week before the Vietnamese arrived there was a mass killing of workers at Stung Hav that attempted to escape into the forest.²⁵⁴⁰

UNLAWFUL IMPRISONMENT AND TORTURE

636. Arrests at Stung Hav were common, and yet there was no justifiable legal basis for these arrests, nor any judicial process within which to challenge them.²⁵⁴¹ There was at least one jail in use at Stung Hav, which had been built after the Khmer Rouge took control.²⁵⁴² The jail was located in or near Stung Hav village,²⁵⁴³ and had approximately 20 cells, each one-meter across and one-and-a-half meters in length, with one prisoner per cell.²⁵⁴⁴ Suspected enemies were arrested, imprisoned, and interrogated and tortured there.
637. Witnesses San Chuon, Nong Net, and Long Phansy were all imprisoned and tortured in Stung Hav, and others heard about the prison there.²⁵⁴⁵ The events that occurred to Nong Net are a shocking example of not only the intentional persecution of victims at Stung Hav, but also what happened to anyone that protested the life-threatening conditions there. Nong Net was amongst a group of workers who rebelled against the lack of sufficient food²⁵⁴⁶ and detained their supervisor, Hoeun, who was in charge of the kitchen,²⁵⁴⁷ and whom they erroneously believed was independently making the decision to starve them.²⁵⁴⁸ “[T]he

other workers and I thought that if we continued to live in such conditions, we would surely die. That was why we rebelled against Hoeun”.²⁵⁴⁹ They naively brought Hoeun to the cadres supervising Stung Hav, believing he would be reprimanded. “The reason we took Hoeun to the soldiers was because we wanted the soldiers to instruct Hoeun to give us enough food”.²⁵⁵⁰ Fifty of those workers who participated in detaining Hoeun were in turn arrested by the Khmer Rouge.²⁵⁵¹ When they stated that they “did not have enough rice to eat”²⁵⁵² to the cadres, “Khmer Rouge cadres said that Hoeun was right, and we were wrong because we rebelled”.²⁵⁵³ “They defended their associates. They said it was alright to give us insufficient food”.²⁵⁵⁴ Hoeun was released, and they were lectured about “the method of work fulfillment for the Party”.²⁵⁵⁵ They were then arrested,²⁵⁵⁶ imprisoned,²⁵⁵⁷ starved,²⁵⁵⁸ interrogated,²⁵⁵⁹ and tortured with beatings, electric shocks, suffocation, and red ants.²⁵⁶⁰ They were held for 13 days and nights,²⁵⁶¹ and were eventually taken to be killed (although according to the witness’s account the killing occurred after the jurisdictional period of the ECCC).²⁵⁶²

638. Witness Long Phansy was arrested while attending a meeting at the regimental headquarters in Stung Hav.²⁵⁶³ He testified that regimental leaders Moeurn and Lan were responsible for carrying out his arrest,²⁵⁶⁴ and that they also ran the prison and interrogated prisoners.²⁵⁶⁵ Long Phansy was interrogated regarding his “CIA-KGB” connections and his “rank” while he was tortured.²⁵⁶⁶ He was handcuffed and chained, and then beaten, whipped, and electrocuted until he fainted.²⁵⁶⁷ The restraints were abrasive, causing gangrene in some prisoners,²⁵⁶⁸ and left him with lasting scars.²⁵⁶⁹ He had to remain in his cell at all times including while relieving himself,²⁵⁷⁰ and he was shackled “all day and all night.”²⁵⁷¹ Occasionally, a vehicle would arrive at the prison at night, and prisoners would have disappeared by the following morning.²⁵⁷² Long Phansy was held in the jail at Stung Hav for approximately seven months before he was transferred to Toek Sap Security Centre.²⁵⁷³

639. Witness San Chuon, a former East Zone cadre, was arrested after being told he was going to be taken “for studies in the East Zone”.²⁵⁷⁴ He stated that prisoners were taken out of the Stung Hav jail repeatedly for beatings, whippings, interrogation, and labour while shackled.²⁵⁷⁵

In the Stueng Hav jail, hand as well as leg chains were used. When time came to go out to work, they were wrapped around the waist, and they had us hop or walk very slowly like this. When it gets to this, I can barely get the words out.²⁵⁷⁶

640. San Chuon stated that while he was imprisoned, tortured, and interrogated he was accused of being an “enemy” and “in league with the Yuon”.²⁵⁷⁷ His interrogators took notes while they tortured and interrogated him.²⁵⁷⁸ San Chuon was also eventually transferred to Toek Sap.²⁵⁷⁹
641. These three prisoners were not alone in the Stung Hav jail. Nong Net stated that he was imprisoned with approximately 50 other victims.²⁵⁸⁰ San Chuon saw approximately 10 prisoners in the jail when he was there,²⁵⁸¹ and Long Phansy stated that he saw between 20 to 30 prisoners there.²⁵⁸²
642. Victims who worked in Stung Hav were also transferred to S-21.²⁵⁸³

OTHER INHUMANE ACTS

a) Inhumane Treatment

643. The victims at Stung Hav were overworked²⁵⁸⁴ and underfed.²⁵⁸⁵ Workers were provided only two meals per day,²⁵⁸⁶ one at 11 a.m. and one at 5 p.m.,²⁵⁸⁷ consisting of two spoons of porridge²⁵⁸⁸ or a small plate of rice,²⁵⁸⁹ which was occasionally supplemented with fish.²⁵⁹⁰ Some witnesses recalled that they also received a piece of sugar cane, cassava, or sweet potato in the morning.²⁵⁹¹ Despite the starvation, if someone tried to steal food and was caught, they would have been killed:

When we were too hungry, we looked for fruit or potatoes to eat, and they would kill us if they caught us. [...] if they saw us stealing, they would beat us to death. I personally saw them arrest a man and order a child only this tall (150 centimetres tall) to beat the man. That child beat him until he lost consciousness. When he awoke, they took him away.²⁵⁹²

644. The starvation was intentional. As the supervising cadres stated to Nong Net when he and others complained that they were being starved to death: “They said it was alright to give us insufficient food”.²⁵⁹³
645. **Meas Muth** was aware of the poor food conditions at Stung Hav. He ordered a ship of active Division 164 cadres that had docked at Stung Hav to return to Kampong Som

“because the food at Stueng Hav was insufficient. He said that when military personnel ate insufficient food like that, how could they fight on the battlefield?”²⁵⁹⁴

646. Each labourer was provided with only two sets of clothes per year,²⁵⁹⁵ there was insufficient medical care,²⁵⁹⁶ and tight sleeping quarters.²⁵⁹⁷ Those who got sick were not allowed to rest and were accused of being lazy and “deserting the Party’s work”.²⁵⁹⁸ Victims missed their families and loved ones, but did not dare to ask to visit them.²⁵⁹⁹
647. The work itself was dangerous, and difficult, and workers were often injured or killed in work accidents.²⁶⁰⁰ For real or perceived infractions of the CPK’s draconian rules, workers were subjected to beatings²⁶⁰¹ and punishment.²⁶⁰²
648. All of those forced to work at these sites suffered from all-pervading anxiety and mental anguish. Each victim was aware that he or she had no rights, was already under suspicion, and that real or perceived missteps could mean harsh punishment or death.²⁶⁰³

F. REAM AREA WORKSITES

1. SITE DESCRIPTION

649. The Ream area worksites were the primary crop production area under **Meas Muth’s** control. The worksites and three execution sites that are the focus of the Ream crime site are located north and south of National Road 4 as it passes between Toek Sap in the east and what was then Kampong Som City in the west. In the present day, the sites are divided between Bet Trang Commune and Ream Commune, Prey Nob District, Preah Sihanouk Province, however Bet Trang Commune was not established until after the collapse of the DK regime.²⁶⁰⁴ The main labour at these worksites consisted of farming, primarily of rice, but also of other crops, and building water irrigation systems (*e.g.*, dams, canals) to support that agriculture. Other work in the area included brick making, rock quarrying, and metal smelting.
650. The main dam project in the area is today commonly known as “Bet Trang Dam”. This was a large dam that had one leg proceeding roughly northeast from National Road 4²⁶⁰⁵ (sometimes referred to as “Bet Trang Dam” by itself,²⁶⁰⁶ and also referred to by various villages it passes through²⁶⁰⁷ as the Tomnob Pu Thoeang Dam/Put Thoeung Dam/Tomnob Bet Trang Dam,²⁶⁰⁸ Tumnup Au Prai/ Aur Pray/ O’Braï Dam/ Ou Prai,²⁶⁰⁹ Bobos Dam,²⁶¹⁰

or Preaek Chak Dam²⁶¹¹), and a second leg proceeding roughly southwest from National Road 4, generally referred to as the Chamnaot Ream Dam²⁶¹² (but also referred to as Tomnob Phum Chamnaot Ream Dam,²⁶¹³ or Ream Slope Dam²⁶¹⁴). The Bet Trang Dam encompassed a number of canals, and at least one concrete sluice gate, and there were other, smaller dam projects in the area as well.²⁶¹⁵ Water was meant to be held on the western side of the dam as it flowed down from the higher elevations, and was stored to irrigate crops on the eastern side during the dry season.²⁶¹⁶ Combined, the two legs of the dam were approximately four kilometres in length, roughly evenly divided by National Road 4.²⁶¹⁷ The bottom of the dam is about 25 metres wide and the top of the dam about 10 metres wide.²⁶¹⁸

651. Vast rice fields, fruit plantations, and areas for other crops were arrayed on both sides of National Road 4, some of which were serviced by the Bet Trang Dam.²⁶¹⁹
652. Wat Bet Trang was located where the northeast portion of the Bet Trang Dam met National Road 4.²⁶²⁰ It was used as a metal smelting site,²⁶²¹ and occasionally to hold meetings.²⁶²²
653. South of National Road 4, and connected to it by a road, lies the Kang Keng Airfield, today known as Sihanoukville International Airport. In addition to farming that occurred in areas all around the airfield, there were three notable worksites. First, the Cheng Heng Coconut Plantation, named after the former owner,²⁶²³ was located between the Kang Keng Airport and Ream beach,²⁶²⁴ and was approximately 10 square kilometres in size.²⁶²⁵ It was close to an Orange Plantation (Chamkar Krauch),²⁶²⁶ and to the Durian I Execution Site²⁶²⁷ (described below).
654. Second, close to the Cheng Heng Coconut Plantation, there was a brick kiln located on the road connecting National Road 4 to Ream beach (today identified as road 45).²⁶²⁸ At the brick kiln, more than 100 workers made bricks and tiles for use in Division 164's dams, floodgates, and other construction projects.²⁶²⁹
655. And third, there was a rock quarry at Au Mlou, also located between Kang Keng Airfield and Ream port, close to the Cheng Heng Coconut Plantation.²⁶³⁰ At least some of the stone extracted from this quarry were used to build the port in Stung Hav.²⁶³¹

656. Workers lived at a number of cooperatives in the area,²⁶³² including Put Thoeung Cooperative,²⁶³³ Babos Cooperative,²⁶³⁴ Koki (Korki/Korky/Kokir) Village Cooperative,²⁶³⁵ and Smach Daeng Cooperative.²⁶³⁶ Thousands of people lived in these cooperatives,²⁶³⁷ and “[p]eople in the cooperatives were divided into small teams of 15-20 people.”²⁶³⁸ Demobilised cadres sometimes lived with civilians in the cooperatives,²⁶³⁹ but workers, including demobilised cadres, lived in a number of other places as well.²⁶⁴⁰ In addition, various active Division 164 military units were based at locations around the Ream worksites and execution sites, as further described in *IV. Division 164 (Former Division 3) Authority Structure* above.
657. Portions of the Ream area worksites became operational almost immediately after the CPK’s 17 April 1975 victory, and farming and irrigation work was ongoing at the time that the Vietnamese overtook the area in 1979.²⁶⁴¹ The Bet Trang Dam was largely completed in two years. Construction began in June 1975 and was completed by mid- to late-1977.²⁶⁴² Other dams and canals continued to be built until the Vietnamese entered.²⁶⁴³
658. There were four principal execution sites in the Ream area. The Toek Sap Security Centre was located immediately east of the Ream worksites on National Road 4 across the Toek Sap bridge (*see VIII.C.4. Toek Sap Security Centre*). There were two durian plantations used as execution sites south of National Road 4 (the generic “Chamkar Thuren”, meaning “Durian Orchard” in Khmer, is sometimes used in English transliteration on the Case File²⁶⁴⁴), which were located approximately 3.5 kilometres from each other on separate sides of a hill chain northwest of Kang Keng Airfield.²⁶⁴⁵ The fourth execution site was located north of National Road 4 at the site of a former Lon Nol military facility. Proceeding south to north, additional information on the locations of these execution sites is as follows.
659. The “Durian I” execution site was located along the base of a mountain northwest of Kang Keng Airport and close to the Ream beach.²⁶⁴⁶ It covered an area of approximately 500 hectares,²⁶⁴⁷ and is sometimes called the “Cheng Heng Durian Plantation”²⁶⁴⁸ (it is adjacent to the coconut plantation of the same name,²⁶⁴⁹ as they likely previously had a common owner). The orange plantation (sometimes referred to by the transliteration “Chamkar Krauch” on the Case File) was also nearby.²⁶⁵⁰ Durian I was located next to the beach —

from which it is “easily accessible”²⁶⁵¹ — on the side of the hill chain facing Kang Keng Airfield. Durian I was not only used as an execution site for persons taken from the Ream area worksites, but also as an execution site for foreigners — including Thai and Vietnamese — captured at sea and on islands.²⁶⁵² There was a nearby dock at Moat Peam where victims brought in from the sea would sometimes be transferred to units on land before being brought to be executed.²⁶⁵³ There was also an access road to Durian I stretching down from National Road 4,²⁶⁵⁴ and there were several military checkpoints and houses located outside the plantation and along this road.²⁶⁵⁵

660. The “Durian II” execution site was also known as “Ou Trav Durian Plantation”.²⁶⁵⁶ It is on the opposite, northern, side of the hill chain in relation to the Durian I plantation, and is located much closer to National Road 4,²⁶⁵⁷ from which it is accessible by dirt road.²⁶⁵⁸ The plantation that Durian II was within covered an area of about 500 hectares.²⁶⁵⁹ There was a Khmer Rouge ammunition warehouse nearby, which was burned down subsequent to the regime.²⁶⁶⁰ Durian II was guarded by armed cadres and surrounded with “thorn bamboo”.²⁶⁶¹

661. The “C.I.” (short for “Centre d’Instruction”)²⁶⁶² execution site, also known as “C.I. 5” or “C.I. Slope”²⁶⁶³ (and sometimes transliterated on the case file as “Se I”),²⁶⁶⁴ was north of National Road 4 and west of the Bet Trang Dam, near the location of a former Lon Nol military base.²⁶⁶⁵ There were Khmer Rouge forces stationed at C.I. shortly after the Lon Nol regime fell.²⁶⁶⁶ The execution site was located up the slope from the pre-existing Lon Nol barracks.²⁶⁶⁷

2. AUTHORITY STRUCTURE

662. **Meas Muth** had ultimate control over all of the Ream area worksites and cooperatives.²⁶⁶⁸ A telegram to **Meas Muth** from his deputy, Dim, shows **Meas Muth’s** control of the area, stating:

Mainland situation: In Riem and Babos Py sub-districts, we have taken measures as you, brother, have decided. Five enemies managed to run into the forests. But now we have arrested all of them. [...] I have taken both political and consciousness measures. For assignment action, I have organized more patrol Units for hunting down more.²⁶⁶⁹

663. The same telegram shows that **Meas Muth** was kept informed of even a single death amongst the workers, and small details regarding the progress of rice cultivation in the area.²⁶⁷⁰ **Meas Muth**'s close supervision and detailed knowledge of matters at the Ream worksites is further demonstrated by extant DK-era meeting minutes. At a meeting of Division leaders, **Meas Muth** reported on the quantity of different types of rice transplanted, harvested, yielded, and shipped, as well as dates on which that occurred.²⁶⁷¹ A set of Division 164 meeting minutes reflects discussion of "some strange activities among people in the Kang Keng base", as well as arrests of an individual found to be a former Lon Nol military officer,²⁶⁷² and RAK meeting minutes show that **Meas Muth** was present when his deputy, Dim, reported on arrests in the Kang Keng area.²⁶⁷³ Meeting minutes also show that **Meas Muth** reported on "thievery" at Kang Keng,²⁶⁷⁴ and the placement of artillery in Ream and Kang Keng.²⁶⁷⁵
664. Such detailed knowledge is in keeping with Son Sen's instructions to Division leaders: "[We] must go down close to lead, not just go down to meetings. [We] must go down to the rice paddies, to the rice, to the water pumps. Go down to see and to listen to reports to be able to summarize experience clearly."²⁶⁷⁶ And indeed, **Meas Muth** would often travel to the Ream area²⁶⁷⁷ and visit worksites²⁶⁷⁸ and cooperatives²⁶⁷⁹ there. During some of those visits, **Meas Muth** would give speeches at large meetings near Kang Keng airfield where he would read "confessions" of "traitors".²⁶⁸⁰ One attendee, a cadre who had been demobilised, recounted: "He [Meas Muth] sent us to work in a production unit after the meeting. In this unit we were treated like prisoners because we did not have any weapons. We were made to do farming like ordinary people."²⁶⁸¹ At meetings, **Meas Muth** specifically named cadres who had been based at Kang Keng and who were alleged to be traitors. Yeun, a regimental commissar at Kang Keng, was said by **Meas Muth** to have "insulted our revolution movement by saying that our revolution movement was a flame revolution movement and bloodthirsty movement."²⁶⁸² Similarly, **Meas Muth** announced that Oeng Vet, the commander of Battalion 631 stationed in Kang Keng airport, was "traitorous".²⁶⁸³ Oeng Vet was subsequently arrested²⁶⁸⁴ and sent to S-21.²⁶⁸⁵
665. **Meas Muth** also presided over meetings where he identified East Zone cadres as cadres who had to be demobilised because they were regarded as "bad element soldiers", and those cadres were then sent to production units in the Ream area worksites.²⁶⁸⁶ According

to that witness, only **Meas Muth** would have had the authority to send the 1500 East Zone cadres to join the Big Production Unit at the Ream worksites.²⁶⁸⁷ A former cadre stated that the order to demobilise troops who had fallen under suspicion “clearly was issued by Ta **Muth**. Ta **Muth**’s men gathered us for a meeting and told us we would be sent to different worksites.”²⁶⁸⁸

666. **Meas Muth**’s name was frequently invoked by supervisors in meetings discussing the labour that had to be carried out at the Ream worksites.²⁶⁸⁹ Leaders stated that **Meas Muth**’s “orders must be followed, implemented, and respected; otherwise there would likely be trouble”.²⁶⁹⁰ One cooperative chief told a witness that “Ta Muth was ‘Senior *Angkar*’ in this area.”²⁶⁹¹ **Meas Muth** would send messengers to the cooperative chairpersons informing them of meetings they had to attend with him,²⁶⁹² village chiefs announced in meetings that they met with **Meas Muth** once a month where he told them “about *Angkar*’s new plans”,²⁶⁹³ and the cooperative chairpersons would also frequently meet with Kim Nhan, a Regiment 63 leader,²⁶⁹⁴ who would serve as a conduit to **Meas Muth**.²⁶⁹⁵

667. Moreover, **Meas Muth**, and indeed all others, who travelled between Kampong Som City and points east including Phnom Penh via the most direct route on National Road 4, would have necessarily passed within eyesight of many of the Ream area worksites.

668. Many witnesses testified that Sari and Chhoeun, of Regiment 63, were the primary supervisors over the Ream worksites.²⁶⁹⁶ They made regular visits to the worksites accompanied by armed bodyguards.²⁶⁹⁷ Sari led meetings at the cooperatives that discussed how the Khmer Rouge had “removed the wealthy class and kept only the worker and peasant classes”.²⁶⁹⁸ Meas Im, **Meas Muth**’s younger brother, also had some authority over the worksites,²⁶⁹⁹ while Launh oversaw the smelting activities at Wat Bet Trang.²⁷⁰⁰ More generally, witnesses were aware that “senior Khmer Rouge leaders” would come to inspect the dam sites, and set deadlines for completion of work, but were not sure who they were.²⁷⁰¹

669. Each cooperative had a chairperson,²⁷⁰² who were often wives of Khmer Rouge cadres,²⁷⁰³ and cooperative chairpersons often attributed decisions and instructions to *Angkar*. “Ta Laut always mentioned *Angkar*, saying *Angkar* wanted the brothers and sisters to put up a

dam, do this, or do that”.²⁷⁰⁴ Lower-level leaders often referred to orders coming from **Meas Muth** as coming from the “upper echelon.”²⁷⁰⁵

670. Demobilised cadres were under the supervision of Division 164,²⁷⁰⁶ and also formed their own “production units”. For instance, Battalions 20 and 21 were mobile units in Prek Chak (near the Bet Trang Dam) composed of demobilised cadres.²⁷⁰⁷ According to one witness, Battalion 20 was for “serious offenders” whereas Battalion 21 was for “light offense prisoners.”²⁷⁰⁸ Koeun, a regimental commander and unit chief in Division 164, had approximately 300 demobilised soldiers, all men, under his command.²⁷⁰⁹
671. Although some work units were segregated between civilians and demobilised cadres, cooperative chairpersons and leaders of cadres nevertheless coordinated their work, and demobilised cadres often worked, and sometimes lived, alongside civilians.²⁷¹⁰ One witness described the mixed nature of the workers in a single mobile unit: “There were between 50-60 East zone people, 30-40 17 April people, and there were about 10-20 Khmer Krom people. The rest was all members of Battalion 310 and other soldiers who were sent from other units.”²⁷¹¹
672. In addition to demobilised cadres sent to the Ream worksites as labourers, active Division 164 cadres were posted at various places in the area for supervisory and defensive functions. Regiment 22/63 was continuously stationed at positions in the vicinity of Kang Keng Airfield beginning almost immediately following the collapse of the Lon Nol government. At first they were based southwest of the airfield,²⁷¹² but then moved to be based from the airfield itself and at a location nearby in Thma Thom village, just southeast of where the road leading down to Ream naval base meets National Road 4.²⁷¹³ (There is a dragon statue at this roundabout, which is an identifier for many witnesses.) Regiment 63 Secretaries Sin Chorn and Kim Nhan had offices there,²⁷¹⁴ and Nhan further had responsibility over the Au Mlou rock quarry as part of his work concerning logistics.²⁷¹⁵ Mom Chim alias Yan may also have been based at the Regiment 63 offices near Kang Keng for a period.²⁷¹⁶
673. At least one battalion of Regiment 21/62, consisting of approximately 150 cadres, was located near Ream Beach,²⁷¹⁷ where one of their functions was receiving prisoners captured on the islands and at sea, and bringing them for execution at the Durian I Execution

Site.²⁷¹⁸ Indeed, a witness explained that Durian I was under the control of Iek Manh, Secretary of Regiment 62, who stayed there between 1975 and 1976.²⁷¹⁹ Manh had a house in the Cheng Heng Durian Plantation where he stayed when not on the islands.²⁷²⁰ Manh was later removed and replaced by Son.²⁷²¹

3. CRIMES

ENSLAVEMENT

674. The workforce at the Ream worksites consisted of, as **Meas Muth** termed it, both “the army and the people”²⁷²², with those from the “army” primarily consisting of demobilised cadres who had fallen under suspicion, and therefore were no longer considered, nor treated, as active cadres (this is further described in relation to persecution).²⁷²³ Cumulatively, thousands of labourers worked at the Ream area worksites at any one time,²⁷²⁴ comprised of men, women, children, and the elderly.²⁷²⁵ One witness stated “no one was idle, meaning only three or four month old infants were idle. The grandmothers were assigned to look after the children, and the grandfathers were put to work growing crops. All the people were sent to work in the fields or to build dams.”²⁷²⁶
675. In September 1976, **Meas Muth** reported that 17,000 persons were engaged in rice production alone in Kampong Som,²⁷²⁷ farming 2,000 hectares.²⁷²⁸ Witness testimony confirms that thousands were engaged in rice farming in the area.²⁷²⁹ In addition to rice farming, and consistent with Son Sen’s instructions that “Division 164 absolutely must hold water in the foothills and dam fresh water creeks. [We] must make water reservoirs”,²⁷³⁰ thousands of people worked on dam and canal construction.²⁷³¹
676. At Wat Bet Trang, demobilised cadres²⁷³² were put to work destroying the temple to extract metal, after which they smelted it for use in dam construction.²⁷³³ Workers at the pagoda were subsequently forced to smelt iron and aluminium to make pots, pans and other materials during the regime.²⁷³⁴ Workers at the Cheng Heng Coconut Plantation collected coconuts,²⁷³⁵ and there was also a brick and tile making kiln nearby where workers laboured,²⁷³⁶ as well as a rock quarry at Au Mlou.²⁷³⁷
677. In addition to these tasks, victims were forced to perform a number of other types of work including growing vegetables, building structures, clearing forests, making charcoal, and

making fertiliser.²⁷³⁸ They were not allowed to refuse orders to work,²⁷³⁹ and they were paid, “[n]ot a single cent.”²⁷⁴⁰

678. Workers were often moved between, and serviced, different Ream area worksites.²⁷⁴¹ Prum Sambath, when asked whether “the workers in Kang Keng, Bet Trang and Smach Daeng [were] the same people”, responded “Yes, they were. All of them worked at the rice fields in these areas.”²⁷⁴² As already described, demobilised cadres and civilians often worked alongside one another.²⁷⁴³

679. Victims at the worksites had no choice but to work,²⁷⁴⁴ were not allowed to go anywhere without permission,²⁷⁴⁵ and had to go where they were told.²⁷⁴⁶ “At that time, it was as if they measured the distance in which we had to walk.”²⁷⁴⁷ They were brought directly to the worksite in the morning, and straight back to where they stayed in the evening.²⁷⁴⁸ Witnesses stated, “[p]eople were not allowed to go anywhere freely”,²⁷⁴⁹ and “it was like we were detained in an open space.”²⁷⁵⁰ Those who tried to flee worksites “were arrested, shackled, and sent to Teuk Sab.”²⁷⁵¹ As one victim stated: “If I ran and was caught, I definitely would have been killed.”²⁷⁵²

680. At many worksites, daily quotas were set for workers,²⁷⁵³ including for child labourers.²⁷⁵⁴ At the dam sites, this quota was commonly set at three cubic metres of soil that had to be dug and carried each day,²⁷⁵⁵ although some witnesses recall the quota being set at one or two cubic metres per day, while others recall it being as high as five cubic metres per day.²⁷⁵⁶ Quotas were also applied to other types of work, for example: hoe one hectare of soil per day per group,²⁷⁵⁷ collect 1,600 coconuts per day,²⁷⁵⁸ quarry seven cubic metres of rock per day,²⁷⁵⁹ or build 20 meters of dam within ten days.²⁷⁶⁰

681. Quotas were enforced by punishment, and often this punishment took the form of additional work: “They pushed us to finish. If we could not finish, they did not allow us to take a rest.”²⁷⁶¹ Another frequent form of punishment for failure to finish assignments was the withholding of food. One witness explained that if workers were not able to finish their assigned work, they were told: “You did not finish the assigned tasks, are wasteful, and do not pay attention. If you cannot complete the assigned tasks today, you will get no food: there is no need for you to get food or water.”²⁷⁶² Sometimes it was both more work and less food: “They absolutely required us to complete the assigned task within the day

without fail. In the case the quota was not met they permitted neither rest nor food.”²⁷⁶³ “If anyone failed to complete the quota by that time that person had to continue working through the night. The person would not be given any food until the work was fully completed.”²⁷⁶⁴

682. One victim described how the quota was enforced at the Cheng Heng Coconut Plantation: “At the meetings they said ‘*Angkar* has set a quota. Each person has to pick up 200 ripe coconut fruits per day.’ If we could not fulfil that quota, they would punish us by putting us to stand under the scorching sun or under the rain, or they would assign us to do hard labour.”²⁷⁶⁵ Failing to fulfil quotas could also mean execution: “Only those who could fulfil the [work quota] remained alive. Those who were lazy, sick, or opposed to carrying dirt were removed and vanished.”²⁷⁶⁶ Workers, including children, were occasionally beaten to make them work.²⁷⁶⁷
683. The workers were guarded by cadres²⁷⁶⁸ and forced to work day and night,²⁷⁶⁹ without any days of rest.²⁷⁷⁰ They were sent to the worksites at around 4 or 5 a.m. and worked until 11 a.m. Work resumed at 1 p.m. and lasted until 6 or 7 p.m.²⁷⁷¹ However, some workers had to rise as early as 3 a.m.,²⁷⁷² and some had to do a third shift of work later in the evening, sometimes until 11 p.m. or later.²⁷⁷³ “There was no break. We worked all week every month.”²⁷⁷⁴
684. Regardless of how tired or hungry labourers became, they were forced to keep working, often until they collapsed.²⁷⁷⁵ The wife of a cooperative chief confirmed: “We could not just rest at home and claim [...] to be sick. We stayed in the unit.”²⁷⁷⁶ Anyone who refused to work, tried to leave, complained, or was considered lazy, disappeared or was killed.²⁷⁷⁷ “[W]e did not have the right to make any complaints. We worked very hard and were very thin”.²⁷⁷⁸ Cooperative leadership were required to report on workers who made “mistakes” or were sick so that they “would be re-educated”.²⁷⁷⁹ From just one work site, “[e]ach month there were about 10 people who did something wrong and were taken there. [...] The most common mistakes were related to work. For [instance], some people were lazy at work or stole things.”²⁷⁸⁰

685. Work was coerced out of the victims through fear that not to work, or not working enough, meant punishment or death. If they refused to work “[t]hey would have taken us to be killed.”²⁷⁸¹ Witnesses repeatedly expressed this view:

- “I simply followed the order so that I could live. Whatever work that was assigned to me I had to complete it”;²⁷⁸²
- “I did not like it. I worked because I wanted to survive”;²⁷⁸³
- “I was not satisfied with the tasks, yet we did them out of a fear of death. We were not paid, nor were we given sufficient rice”;²⁷⁸⁴ and
- “I tried [my] best to survive as I did not want them to send me to Teuk Sap.”²⁷⁸⁵

686. Workers at the Ream area worksites were often transferred to other worksites as well, including Stung Hav.²⁷⁸⁶

PERSECUTION ON POLITICAL GROUNDS

687. Almost everyone forced to do labour at the Ream area worksites was there because **Meas Muth** and forces under his control considered them to be “enemies” of the CPK, and therefore in need of ideological “tempering”.²⁷⁸⁷ Thus, the selection of who would be forced to live and work under the egregious circumstances in the Ream area worksites was itself a persecutorial act. Once designated among the categories of people who were suspect and in need of tempering, victims lived on a knife’s edge. For the smallest mistake, the discovery of unfavourable information about them, or for no reason at all except the capricious whim of those who had complete control over them, victims could find themselves punished, arrested, or killed.²⁷⁸⁸ As one victim stated, “I was spared. But I was under close watch. If I had made a mistake, they would have immediately accused me.”²⁷⁸⁹ Another explained: “If we did not fully believe in them or if [we] wavered away from them even a little bit, they would remove us immediately.”²⁷⁹⁰

688. Enemies were designated by various terms such as “suspicious” people,²⁷⁹¹ “bad elements”,²⁷⁹² those with “problems or bad trends”,²⁷⁹³ “no-good elements”,²⁷⁹⁴ “traitors”,²⁷⁹⁵ persons “linked to an unclean tendency”,²⁷⁹⁶ and persons “linked to political tendency”.²⁷⁹⁷ Referring to a cooperative near the Bet Trang Dam, one witness stated: “Most of the people sent to Put Te Cooperative were considered to be involved [with

traitors].”²⁷⁹⁸ One witness explained his understanding of the CPK’s paranoid taxonomy of enemies like this:

The ‘infiltrated enemy’ referred to persons within the ranks who did not take their assigned tasks seriously. ‘Consciousness enemies’ were persons who were reluctant to work and, therefore, could not complete their assigned tasks. ‘Bad elements’ referred to persons who had worked in the previous regime or who had relatives who used to work in the previous regime.²⁷⁹⁹

689. Those persecuted by being sent to live and work in the Ream worksites included: cadres who had been deemed “no good elements” for different reasons; “17 April” people; and Khmer Krom. Brak Sokha described a work unit composed of persons from these groups: “There were between 50-60 East [Z]one people, 30-40 17 April people, and there were about 10-20 Khmer Krom people. The rest was all members of Battalion 310 and other soldiers who were sent from other units.”²⁸⁰⁰

a) Demobilised Cadres

690. Cadres considered to be “no-good elements” from Division 164 were demobilised and placed within units that worked at the Ream worksites for tempering.²⁸⁰¹ This policy was stated explicitly by RAK military leaders:

Ta Vey who was the commander of [an] artillery unit called a meeting where other soldiers and I attended. We were told that we were to be transferred from the unit to be placed in a mobile unit at Prek Chak because our unit contained no-good elements and that we had to be sent for tempering.²⁸⁰²

691. As a result of these policies, “thousands of troops, [were] [...] demobilised. The demobilised troops were assigned to work in different production units and were sent to different work spearheads.”²⁸⁰³ One witness, referring to a site near the Bet Trang Dam, stated: “Preaek Chak had been a site where suspicious people were sent for a long time. [...] Some military officers who had a bad consciousness or did not have absolute determination were sent to Preaek Chak”.²⁸⁰⁴ Once branded suspect and demobilised, members of Division 164 would rarely be permitted to return to becoming active cadres,²⁸⁰⁵ but they could be arrested or killed, and at least for some, their biographies continued to be investigated.²⁸⁰⁶

692. A cadre who was demobilised explained how “bad elements” would be sent to work at Ream area worksites:

[T]hey withdrew confidence from me, I was considered as a suspected element, an unclean element in the unit. So they removed me and sent me to the rice field near the orange plantation. [...] [T]hey withdrew confidence from me and sent me to do rice farming because they considered me as a suspected element of KGB [and] of the Vietnamese.

[...]

Those who were linked to bad elements would be put in one group. For instance, if I had parents, had a father who was linked to American CIA, “Yuon’s” or KGB agents, then, I was no longer trusted. Subsequently, I would be removed into a mobile unit which was tasked with working the fields near Bo Bos, to the north of Kang Keng and Smach Daeng. That was the place to house those who were linked to the tendency of [the] former regime.²⁸⁰⁷

693. As described above in relation to the authority structure for the Ream worksites, **Meas Muth** was actively involved in the targeting of cadres considered “no-good elements” there. Witness Long Sen attended a meeting where **Meas Muth** announced “that all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division.”²⁸⁰⁸ Those soldiers were then transferred to the Big Production Unit at the Ream area worksites.²⁸⁰⁹ A set of Division 164 Meeting Minutes notes a view that “there are bad movements in the military” in Kang Keng.²⁸¹⁰ **Meas Muth** presided over meetings in which cadres were demobilised and sent to the worksites,²⁸¹¹ as well as over Ream area worksite meetings in which he identified various “traitors” such as Chhan and Dim, read their “confessions”, and listed “the names of the traitorous cadres from the Centre level down to the local base level.”²⁸¹² At least some of those in attendance were demobilised cadres who **Meas Muth** then sent to work in production units.²⁸¹³

694. Included among the categories of suspect cadres sent to work at Ream worksites were those originally from the East Zone,²⁸¹⁴ those from Sector 37,²⁸¹⁵ those whose family members had connections to the Lon Nol regime,²⁸¹⁶ those who were captured by the Vietnamese and then released back to Democratic Kampuchea,²⁸¹⁷ and others.²⁸¹⁸ While more senior cadres who were considered enemies would be sent to security centres or killed after

removal (*see, generally, VIII.A. Purges Within Division 164*), their subordinates were usually rendered suspect, demobilised, and sent to worksites.²⁸¹⁹ Many witnesses noticed this pattern. “It is true that when our superior was accused of being the traitor all his subordinates would automatically be perceived as the traitors.”²⁸²⁰ “After [Dim’s] arrest, many companies and units were collected to work at Kang Keng.”²⁸²¹ “My commanders were sent to study and disappeared. We ordinary soldiers were transported to the mainland and brought into mobile units to farm rice.”²⁸²² “When a group chief had been arrested, his subordinates would be sent to grow rice.”²⁸²³

695. Cadres who had been demobilised were often placed into “production units” that were forced to labour in the Ream area worksites.²⁸²⁴ The “Big Production Unit at Puth Te” (near the Bet Trang Dam) included at least 1,500 demobilised cadres from the East Zone.²⁸²⁵ Another witness explained that “those in trouble would be taken to work at the production unit.”²⁸²⁶

696. While some of those cadres who had been demobilised and sent to work in the Ream area worksites were placed in units that mimicked military structure,²⁸²⁷ it was clear that they were no longer considered equals with active cadres. As one witness stated: “We were not treated as soldiers anymore. We were treated as sub-citizen[s] for we had some affiliation with the old regime. Ordinary citizens were allowed to ask permission to go to this or that place, but we were not.”²⁸²⁸ They were sometimes escorted to the worksites by armed cadres,²⁸²⁹ their weapons were confiscated,²⁸³⁰ they received less food than when they were active,²⁸³¹ and the leadership “stopped trusting us”.²⁸³² As one cadre said, when he was demobilised, “I did not hold any position. I was an ordinary citizen”²⁸³³ and indeed, they were often sent to work alongside civilians at the worksites.²⁸³⁴

697. One witness starkly contrasted the situations before and after he was demobilised:

We had no fears before Dim and Chhan were arrested because we were the full-right soldiers. We had rifles to use, and we could move anywhere. However, after the announcement of the arrests of Dim, Chhan, and the Battalion and Regiment Commanders (namely Ta Ham and Ta Vet) was made we became frightened. We did not know when they would come to arrest us.

[...]

My life changed in many ways. First, they did not give us sufficient food. Second, they made us overwork. We worked from 0500 or 0600 to 1100, and we resumed at 1230. We would continue working until 1700. We were ordered to build dams, dig up canals and do farming. We were not paid for our work. We were ordered to work 30 days per month without rest. Third, they spied on us regularly; there were spies everywhere. Lastly, they took away all of our freedom; they curtailed our freedom of movement. We could only stay at the place to which we were designated. At night time, we had to stay in long halls which they built for about 10 to 20 people.²⁸³⁵

698. Demobilised cadres at the Ream area worksites “worked under the surveillance of armed guards”²⁸³⁶ who were active cadres,²⁸³⁷ *i.e.*, the “good elements”,²⁸³⁸ who “were well-fed and armed”.²⁸³⁹ The active cadres at the worksites “could move around freely” whereas the demobilised cadres “constantly stayed wherever they placed us”.²⁸⁴⁰

b) 17 April People

699. “New people” or “17 April people” sent from Kampong Som and other areas were among those also considered to be enemies and sent to work at the Ream area worksites.²⁸⁴¹ One witness, Brak Sokha, described how there were “30-40 ‘17 April’ people” within his mobile unit.²⁸⁴² Another witness, Pak Sok, was assigned to work with “new people” in the Ream area.²⁸⁴³ One witness incisively observed: “I also noted that there was discrimination. The ‘base people’ were treated differently from the ‘new people’ or the ‘17 April people’. And we could not do anything about this.”²⁸⁴⁴

c) Khmer Krom

700. Also targeted by being sent to work at Ream area worksites were Khmer Krom.²⁸⁴⁵ Khmer Krom were targeted because “[t]hey were accused by the Khmer Rouge that they had connection with the *Yuon* as they lived in Vietnam.”²⁸⁴⁶
701. Additionally, demobilised cadres, “17 April” people, and Khmer Krom were persecuted through killings and enforced disappearances as described in the following section.

MURDER, EXTERMINATION AND ENFORCED DISAPPEARANCES

702. Arrests, disappearances, and killings occurred frequently at the Ream area worksites.²⁸⁴⁷ “During the day, they ordered people to work. They carried out the arrests only at night. One or two families disappeared each night.”²⁸⁴⁸ Multiple witnesses described people in

their units being taken away and not returning.²⁸⁴⁹ “Ordinary people were taken away one after another. They were taken away without any explanations, and were not told about their mistakes. Sometimes, they were told that *Angkar* needed to meet them”.²⁸⁵⁰ Other times, people were purportedly taken to hospitals and never returned,²⁸⁵¹ or were said to have gone to study or to be re-educated.²⁸⁵² “My eldest son lived with me for about two months before he was sent to live in a children’s unit. We were told that he was [sent] to study. After that, he disappeared.”²⁸⁵³ Witnesses were not in doubt as to the fate of those who disappeared: “[E]verybody knew that if the Khmer Rouge took you away, you were finished.”²⁸⁵⁴

703. Meeting minutes on the Case File reflect Dim advising attendees, including **Meas Muth**, that arrests had been conducted frequently in Kang Keng,²⁸⁵⁵ and other Division 164 minutes record that a former Lon Nol soldier had been “discovered and arrested” in the area.²⁸⁵⁶ And indeed, witnesses attest that arrests of one, two, or three families occurred nightly in Ream and Smach Daeng.²⁸⁵⁷ “Since arrests took place every single night, we were constantly afraid, and we always wondered when our turn would come.”²⁸⁵⁸
704. After removal “no one returned. Only their wives, their widows, remained”.²⁸⁵⁹ It was the understanding of many witnesses that those taken away were killed,²⁸⁶⁰ and that death was the punishment for a variety of infractions. “At that time if someone broke a plough or rake during their work, they would be considered to be an enemy and would be taken and killed.”²⁸⁶¹ One witness observed that: “those who were lazy, sick, or opposed to carrying dirt were removed and vanished”.²⁸⁶² “Inactive” workers would be criticised at evening meetings, and repeated criticism meant death,²⁸⁶³ as did perceived disloyalty to *Angkar*.²⁸⁶⁴ One witness recalls that anyone who was perceived as opposing *Angkar* was “regarded as an enemy and was killed”.²⁸⁶⁵ Workers could also be executed for simply complaining about the work load or the work conditions,²⁸⁶⁶ being accused of committing “moral offences”, such as speaking to members of the opposite sex during work,²⁸⁶⁷ or for eating food without permission.²⁸⁶⁸
705. Many “17 April” people disappeared: “many of 17 April people coming from the cities and market towns who had never before done such work disappeared”.²⁸⁶⁹ The people were starving, but if they “stole something or competed to get food, he or she would

disappear.”²⁸⁷⁰ Witness Ung Chanthea, who lived in a cooperative of 17 April people, “saw the chief of the Khmer Rouge village militia fling a child around one or two years old against the trunk of a palm tree and the child died instantly.”²⁸⁷¹ He also saw a 17 April person tortured to death by the unit chief, who placed the victim’s head through a basket with a hole cut in it, and then spun the basket which cut into the victim’s neck “until the person’s throat was cut and the person died instantly.”²⁸⁷² While the unit chief was torturing the victim, he interrogated him “to see if that person had ever been involved with any Lon Nol Soldier or had been a Lon Nol soldier.”²⁸⁷³

706. One witness who lived in Kokir Village tells of how the Khmer Rouge searched villages for those they believed to be secret Lon Nol agents, also known as “Second Bureau spies”.²⁸⁷⁴ The witness describes how “[s]ome villagers were arrested and they disappeared. Anyone accused of being a Bureau 2 agent or spy disappeared. They were not imprisoned. They disappeared and did not return home”.²⁸⁷⁵
707. Multiple witnesses describe disappearances of Khmer Krom (or those perceived to be Khmer Krom or to have an affinity for Vietnam) at different times, involving a consistent pattern of Khmer Rouge registering Khmer Krom under the guise that they would be “returned” to Vietnam. Witness Snguon Chhum was in Bet Trang and testified that in late 1975,²⁸⁷⁶ the unit chief²⁸⁷⁷ “told all the Khmer Krom to register their names so that they could return to their home villages.”²⁸⁷⁸ About two months²⁸⁷⁹ after the registration, “two Khmer Krom families left one night, three other families the following night, and two or three other families the night after. Those families kept leaving one after another.”²⁸⁸⁰ In addition, a number of other families of persons who were not Khmer Krom but who had registered their names in the hope of going to Vietnam also disappeared.²⁸⁸¹ “All of the family members, including women and children, disappeared.”²⁸⁸² The families were all taken away at night, and in the morning the families that lived in the houses with them²⁸⁸³ “whispered to others that this family or that family had been taken away the previous night.”²⁸⁸⁴ The families were taken away by cadres accompanied the cooperative chairman.²⁸⁸⁵
708. Snguon Chhum saw some of the families as they were leaving and stated: “The people who were called to leave looked as if their souls had departed from their bodies; they could not

even walk properly.”²⁸⁸⁶ He was not in doubt as to what had happened to the families he saw taken away:

[T]hose people must have been being taken to be killed. If they were alive, they would have come to visit me because we had lived together. Several families disappeared; none of them returned. If they were alive, they, either the wives or husbands, would have come to visit us.²⁸⁸⁷

709. Witness Prom Kem (Snguon Chhum’s cousin)²⁸⁸⁸ saw similar events transpire in 1976 in Kokir Village, Ream Commune.²⁸⁸⁹ He recalled that his cooperative chairman and deputy chairwoman instructed the Khmer Krom to identify themselves so they could return to Vietnam.²⁸⁹⁰ “The Kampuchea Krom were happy with this news. They felt that when returning to Kampuchea Krom or Vietnam, their food would be better. They put their hands up and registered.”²⁸⁹¹ Prom Kem stated that there was a “special military unit” at the meeting that registered them.²⁸⁹² Those that had registered, consisting of about 100 “men, women, the young, the old, and the sick”²⁸⁹³ from his cooperative,²⁸⁹⁴ then arrived on the day they were appointed to leave and boarded Chinese-made trucks that were waiting for them, driven by men dressed in military uniforms.²⁸⁹⁵ Some of these people were not Khmer Krom, but pretended to be so that they could go to Vietnam.²⁸⁹⁶ Three days later, a truck returned and distributed clothes, which were so scarce at the time, that given “the choice of either gold or clothes, then they would have taken the clothes.”²⁸⁹⁷ The people in the village immediately recognised the clothes because each person had very few clothes, and worked alongside each other every day.²⁸⁹⁸

After the villagers received the clothes, they immediately were able [to] identify the clothes. They knew the clothes had belonged to this or that person who had transported by truck to Vietnam. The people did not dare talk about this or let it be heard by outsiders. They discussed this matter only among themselves. We did not dare to let soldiers or the cooperative chairman know that we recognized those clothes.²⁸⁹⁹

710. Prom Kem testified that there were no survivors: “All the Khmer Krom put their hands up. No one returned home, and no one survived.”²⁹⁰⁰
711. In May or April 1977,²⁹⁰¹ Witness Kuy Sambath observed similar events. Once again, Khmer Krom were invited to register to “return” to Vietnam,²⁹⁰² and once again, a number of Khmer falsely claimed to be Khmer Krom, hoping they would be sent to Vietnam.²⁹⁰³

Indeed, Kuy Sambath estimated that only 20 percent of the group was actually Khmer Krom: “As with the other people, they were ordinary people who hoped to liberate themselves from the Democratic Kampuchea regime and to live in better conditions.”²⁹⁰⁴ After the registration had taken place, an announcement was made that trucks would be sent to carry people to Vietnam the next day.²⁹⁰⁵ Kuy Sambath observed six Chinese-made trucks that “were the military ones from Kampong Som Province”²⁹⁰⁶ arrive at Smach Daeng village on National Road 4 to transport the people.²⁹⁰⁷ It appeared that not only those who had registered, but anyone who wished could board. According to Kuy Sambath: “[T]hey announced that the trucks had come to transport the people to Vietnam and that those who wished to go there could get on them.”²⁹⁰⁸ He estimated that about 360 people boarded the trucks,²⁹⁰⁹ including “the old, the young, men, women, children and the new-born babies with their mothers”,²⁹¹⁰ and “[a] number of families were from Bet Trang Commune”.²⁹¹¹

712. Later, as he was transplanting rice in Toek Sap (west of Toek Sap canal, *i.e.*, on the opposite bank from the Toek Sap Security Centre), Kuy Sambath observed the trucks travel down National Road 4, cross Toek Sap bridge, and turn left towards Toek Sap Security Centre.²⁹¹² Although he could not see the trucks once they turned off of National Road 4, he “could hear their engines and could see the dust being blown across the road.”²⁹¹³ The same trucks then returned to the Smach Deng cooperative that evening around 6 p.m.,²⁹¹⁴ and the cadres aboard distributed the clothes of those who had been taken away, saying that “the boats that had carried those Kampuchea Krom people sank at sea and that all the passengers on board had drowned.”²⁹¹⁵ Kuy Sambath was not fooled:

We knew that this was not true and that the Kampuchea Krom people had been taken to be killed. Everyone knew this, but no-one dared to say anything. I also knew this. We did not dare to refuse to take the clothes. Anyway, the ‘base people’ supported these events. The people who had been taken to be killed were the ‘new people’. The ‘base people’ told us that there was no need for us to search for the enemies elsewhere. The registered people were all *Angkar*’s enemies.²⁹¹⁶

713. After 1979, Witness Kuy Sambath went to the area in Toek Sap where he saw the trucks headed and saw “a great number of pits and graves” as well as about 1,000 skeletons including children’s and babies’ skulls.²⁹¹⁷ Relatedly, Witness Snguon Chhum stated that,

in addition to the events he observed in 1975, he knew a family—husband, wife, and children—that had also left later whose wife was from Kampuchea Krom and who travelled through Smach Deng.²⁹¹⁸ He added: “In fact, none of the families who went away could escape. [...] I knew some of the families well; they were local people. However, after they were taken away, none of them returned.”²⁹¹⁹

714. Multiple other witnesses also provided evidence regarding the transfer of arrested persons from the Ream area worksites to Toek Sap²⁹²⁰ (*see also VIII.C.4. Toek Sap Security Centre*). “At that time it was commonly known to the villagers that when someone was arrested and taken from the Pu Thoeang Village Cooperative, they would be taken and killed at CI, but if someone was arrested from the village cooperative of Babos, they would be taken to be killed at Tuek Sab.”²⁹²¹ One witness described how Khmer Krom in his mobile unit were taken away and brought to Toek Sap after 4-5 months,²⁹²² and how “[w]hoever was sent to Teuk Sap never survived.”²⁹²³ Another witness stated: “The period of intense killings began in early 1976, when the Khmer Rouge took civilians from the cooperatives and villages to be killed at Tuek Sab.”²⁹²⁴ “[A]fter being sent to be imprisoned there, they would never return. They all were taken to be executed.”²⁹²⁵

715. In addition to Toek Sap Security Centre, victims were also arrested from the Ream worksites and sent to S-21 (*see, generally, VIII.D. S-21 Security Centre*),²⁹²⁶ and to other execution sites in the area.²⁹²⁷ Three of the largest execution sites within the Ream worksites area were Durian I, Durian II, and C.I.

a) Durian I Execution Site

716. The evidence shows that Durian I execution site was used as a place to kill those captured on the islands or at sea (*see VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea*), and also as an execution site for “enemies” brought from the surrounding Ream worksites.²⁹²⁸ Civilians and “17 April” persons were known to be brought there to be killed.²⁹²⁹ “[O]rdinarily no one could have survived after being sent there.”²⁹³⁰

717. Following the DK regime, witnesses saw burial pits and graves²⁹³¹ and bodies buried under the durian trees as fertiliser.²⁹³² One witness describes seeing two mass graves.²⁹³³ The first pit was thigh deep and about four metres in diameter.²⁹³⁴ Four or five skeletal remains were

on the ground and the pit was covered with dirt.²⁹³⁵ Another observed “at least four pits surrounding each durian tree. The farm was so big. [...] There was one corpse in each pit.”²⁹³⁶ A witness concluded that many of the victims were killed by being struck in the head with hoes, based on the pieces of hoes he saw scattered around Durian I.²⁹³⁷

718. Witness Pak Sok, who lived near Durian I, testified that the Regiment 62 cadres told him about the executions they carried out there.²⁹³⁸ “I asked them and those soldiers told me that the executions really happened.”²⁹³⁹

b) Durian II Execution Site

719. It was well known by the people in the area that Durian II was used for executions.²⁹⁴⁰ Lak Saphan testified that “[a]ll the base people there knew that there were two killing sites”, Durian II, and Toek Sap.²⁹⁴¹ He testified that Lon Nol soldiers were brought to these two killing sites after the Khmer Rouge took power,²⁹⁴² and that some prisoners brought in through Kampong Som Port were also taken to be killed at Durian II.²⁹⁴³
720. Chairwomen of nearby cooperatives would announce in meetings that “[t]hose two or three families were taken to be killed at the durian plantation” in order to scare workers into not committing “mistakes”.²⁹⁴⁴ A witness heard the chairwoman of Babos Cooperative²⁹⁴⁵ say that the people arrested from that cooperative would be sent to Toek Sab, while people arrested from Pu Thoeang Cooperative and other cooperatives would be sent to Durian II²⁹⁴⁶ and C.I.²⁹⁴⁷
721. Victims from nearby cooperatives were taken to Durian II for various infractions, such as digging up and eating potatoes without permission.²⁹⁴⁸ After executions at the durian plantation, cadres would bring the victims’ clothes back to the villages to distribute.²⁹⁴⁹ When cadres took victims to Durian II, “they took entire families, including parents and children.”²⁹⁵⁰
722. Witness Ung Chanthea, who lived in a cooperative in Prey Nob village, testified that many members of his family were arrested one day when a cadre came and “tied their hands behind their backs, put them in a vehicle, and took them away.”²⁹⁵¹ In addition, he saw arrests of victims three other times.²⁹⁵² “All of them were arrested and their hands were tied behind their backs [...] Most of those arrested were 17 April people who grew rice [...] none

of those people came back.”²⁹⁵³ He heard from cadres “that they took all of those people to Chamkar Thuren (The Durian Plantation) at Prey Nob [...] No one could escape from that place.”²⁹⁵⁴

723. Witnesses reported seeing burial pits and graves at Durian II after the fall of the DK regime.²⁹⁵⁵ A witness who visited Durian II after 1979 described walking past “pits full of dead bodies. We saw bones and skulls all over the ground there and there was a strong odour”.²⁹⁵⁶ A second witness visiting Durian II in May 1979 saw “many bones, skulls, and clothes scattered all over the ground.”²⁹⁵⁷ There were pits surrounding each durian tree, and there was one body or more in each pit.²⁹⁵⁸ Some bodies had their hands tied with nylon strings.²⁹⁵⁹ Witness Kuy Nen saw scraps of black and mixed-coloured clothing²⁹⁶⁰ and believed that the coloured clothing belonged to base people from the cooperatives.²⁹⁶¹ The area where the graves and bones were observed had not been used as a graveyard prior to the DK, nor was it an area for fighting with the Vietnamese, indicating that the remains were victims of the Khmer Rouge.²⁹⁶²

c) *C.I. Execution Site*

724. Witness Pak Sok recalled that in 1976, Division 164 cadres “moved all 17 April people from Smach Daeng Village, Koki Village, and Chamnaot Ream alias Bet Trang to be killed at Chamnaot Ream.”²⁹⁶³ He explained that he had been demobilised and sent to farm rice alongside civilians in the area.²⁹⁶⁴ He noticed that many of his fellow workers began to disappear, and when he asked some cadres what had happened to them they told him: “Those 17 April People were transported [in] two or three trucks and killed at Se-I site.”²⁹⁶⁵ The cadres told him that about three truckloads of people had been taken to be killed at C.I.²⁹⁶⁶ Other evidence corroborates that 17 April people were taken to be killed at C.I.²⁹⁶⁷ Pak Sok also testified that former East Zone cadres were executed near Chamnaot Ream (Ream Slope) after Dim was arrested.²⁹⁶⁸
725. The chairwoman of a nearby cooperative told one witness that persons arrested from Pu Thoeang Village Cooperative were commonly taken to be killed at C.I.,²⁹⁶⁹ and indeed multiple witnesses stated that relatives of theirs were arrested from Pu Thoeung cooperative or nearby cooperatives and brought to C.I. to be killed. Witness Kuy Nen’s younger sibling was arrested in Pu Thoeang Cooperative and taken to be killed at C.I.²⁹⁷⁰

Relatives of Witness Sao Men were similarly taken from worksites near the Bet Trang Dam and brought to C.I.²⁹⁷¹ “Those taken there [...] never came back.”²⁹⁷²

726. After the collapse of the DK regime, many locals who knew about the killings at C.I. went to excavate the site, looking for gold.²⁹⁷³ During this search, they unearthed many human skulls and several mass graves²⁹⁷⁴ and, as a consequence, skulls were visible from the road and “spread all over the ground”.²⁹⁷⁵ One witness recalled visiting the site in 1979 and seeing two grave pits, the first approximately 15 square metres, and the second 10 square metres.²⁹⁷⁶ Another witness recalls that in 1983 and 1984 he saw two large, thigh-deep graves holding about eight to ten corpses.²⁹⁷⁷ The same witness stated that the site also contained around 100 smaller graves.²⁹⁷⁸ These smaller graves contained between one and five corpses each,²⁹⁷⁹ and scattered around the graves were skulls, bones, civilian clothes, and army uniforms.²⁹⁸⁰ When a witness went to visit the site in early 1979, there was still a very strong odour from the decaying corpses.²⁹⁸¹

OTHER INHUMANE ACTS (INHUMANE TREATMENT)

727. In addition to the enslavement and executions described above, persons living and working within the Ream area worksites were subjected to additional forms of appalling treatment that often resulted in death. “People died every day in the cooperative.”²⁹⁸² For those that were able to survive, their lives were wretched. “It was miserable. Everyone faced miseries. We were tempered. We had to struggle extremely hard to survive.”²⁹⁸³ One witness summarised the conditions they faced:

The people were hungry, tired, sick, thin and pale, suffering from malaria and other diseases. They forced the people [to] work until they could no longer walk. They slept on mats. Sick people who could not work were taken to be killed. The slogan was “To keep you is no gain. To remove you is no loss!”²⁹⁸⁴

728. The case file is replete with evidence of the lack of sufficient food resulting in starvation. Rations were rarely sufficient.²⁹⁸⁵ “People were just skin and bones; their heads were all bones.”²⁹⁸⁶ Workers were typically only provided with a small portion of rice gruel to eat, twice a day.²⁹⁸⁷ “We were rationed to only watery porridge two times per day. We were provided a small plate of watery porridge per time. I was extremely hungry during that time; I became so exhausted that I could not hold a hoe to dig earth.”²⁹⁸⁸ Victims at the

Ream worksites “did not want to work there, but they had no choice. They were emaciated because they did not have enough to eat.”²⁹⁸⁹

729. Although people were starving, those that took food without permission would be arrested or executed.²⁹⁹⁰ Moreover, the Khmer Rouge would sometimes punish workers by reducing their already meagre food rations if they could not complete their work quotas²⁹⁹¹ or were too sick to work.²⁹⁹² “I became emaciated. I was living in fear. However I tried my best to survive as I did not want them to send me to Teuk Sap.”²⁹⁹³
730. The lack of sufficient food was compounded by the arduous labour that was required of the workers every day,²⁹⁹⁴ much of which was done without the aid of machinery or livestock, particularly when building dams.²⁹⁹⁵ “Both the young and elderly were exhausted and hungry every day.”²⁹⁹⁶ Nevertheless, victims toiled until they collapsed out of fear.²⁹⁹⁷ “I lost weight to the point that I could barely walk. But I had to work. Otherwise I would have been killed.”²⁹⁹⁸
731. Due to the inadequate living and working conditions, people were often sick and died from illness.²⁹⁹⁹ Women who had just given birth were forced to do strenuous labour resulting in sickness and death.³⁰⁰⁰ A witness who worked at the Coconut Plantation stated that “[a]lmost all the children in that area suffered from malaria”, resulting in some deaths.³⁰⁰¹ While seriously ill persons were sometimes sent to rudimentary medical facilities,³⁰⁰² many peoples’ illnesses went untreated and they were forced to continue working.³⁰⁰³ Many compelled themselves to continue working through illnesses due to the harsh consequences, including execution, that could result from claiming illness.³⁰⁰⁴ “They said that those who were sick, tired, and could not work were lazy, pretended to be sick, and served enemy tricks. Those people were taken to be killed in the forest behind the cooperative.”³⁰⁰⁵ Of those few who were sent to medical facilities, some never returned,³⁰⁰⁶ and “many people died daily” there.³⁰⁰⁷
732. Victims were also physically mistreated by those who had power over them. Witness Nav Sokhan described seeing four women taken into a hut and hearing later from others that they had been raped.³⁰⁰⁸ Supervisors beat workers, including children.³⁰⁰⁹ “He beat all of the children in the unit. He did not beat me with a simple stick, but with a ray’s tail. This caused my whole back to bleed.”³⁰¹⁰ One witness stated that Chhoeun, the Division 164

deputy and supervisor of the Bet Trang forced labour sites, would beat soldiers and civilians “without compromise”, including with a whip.³⁰¹¹ More physically demanding work was also used as punishment. For example, one witness, who was at first a cook, was assigned to dig two cubic metres of canal per day as a punishment for being “disloyal to *Angkar*” after she cooked extra rice.³⁰¹² “It was extremely hard labour. We worked without any rest.”³⁰¹³

733. People living in the cooperatives lived in constant fear of being arrested and executed.³⁰¹⁴

“For us, with every small mistake we made, they pressured and victimized us in every way, and they could educate, criticize, and refashion us in the cooperative; and for serious mistakes, they took us to the upper echelon to be educated, and we disappeared forever.”³⁰¹⁵ The fear that they would be punished, arrested, or killed was heightened by their awareness of the many arrests and removals that took place around them.³⁰¹⁶ “We lived in fear, especially my group who were collected and sent to live at [...] Kang Keng Airport. [...] Our concern was that we did not know when we too would be arrested.”³⁰¹⁷ Cooperative chairpersons threatened workers with arrest and execution for missteps,³⁰¹⁸ and workers were forced to criticise each other at regular meetings. “At intervals of three days, we had meetings to criticize one another in relation to who had worked less and who had worked more.”³⁰¹⁹

734. Victims had no ability to voice any complaints or to refuse work, and feared doing so.³⁰²⁰

“After we heard [that Dim was arrested], we did not dare to make any complaints. We did whatever they ordered. We stayed wherever they ordered us to stay. [...] I was afraid of being harmed because all of the senior cadres had been arrested.”³⁰²¹ One witness described how a man disappeared after complaining that the lack of food made him weak and unable to work vigorously.³⁰²² “Everything we faced from *Angkar*, the supreme institution, we had to suffer, we had to struggle to endure, and we could not complain to anyone or any institution at all.”³⁰²³ A victim described the sense of helplessness that accompanied their fear and mistreatment:

We all knew that no one could help us and that we could not make a complaint to anyone. If we had made a complaint, or said anything about the transfer, things would have turned out even worse; they would have accused us of being the traitors as well. In short, our life was in their

hands. Therefore, in such a situation, the best way for us to stay alive was to keep silent and follow the orders.³⁰²⁴

735. Under these horrid conditions, victims were even denied core human comforts such as family³⁰²⁵ or religion.³⁰²⁶ Indeed, people who expressed emotion when loved ones were taken away were punished.³⁰²⁷ As summarised by one victim, “[i]n that era, the other people and I had the impression that life had no benefit or purpose at all. [...] Life seemed to have not one ray of light”.³⁰²⁸

G. GENOCIDE OF THE VIETNAMESE

1. INTRODUCTION

736. The genocide of the Vietnamese carried out by **Meas Muth**, his co-perpetrators, and subordinates was part of a nationwide campaign of genocide orchestrated at the highest levels of the DK regime and carried out across the territory of Cambodia. The genocidal policy of the regime is demonstrated both by public statements of leaders encouraging the complete annihilation of the Vietnamese population of Cambodia, as well as by consistent evidence of a blanket policy in the later years of the regime of killing all Vietnamese across the country.

737. The result of this policy was “the successful completion of a genocide”,³⁰²⁹ with “virtually all” of the Vietnamese who remained in DK killed by the end of the regime.³⁰³⁰ Pol Pot himself boasted about these results: in a speech in April 1978, he said, “There are no Yuon in Kampuchean territory. Formerly there were nearly 1,000,000 of them. Now there is not one seed [...] of them to be found.”³⁰³¹

2. THE VIETNAMESE AS A DISTINCT ETHNIC GROUP

738. The Vietnamese are a separate ethnic group in Cambodia, distinguished from other groups by traits such as physical features, language, and customs. As the evidence discussed throughout this section demonstrates, they perceived themselves, and were perceived by Cambodian society, to be a distinct ethnic group.

GENOCIDAL POLICY AGAINST THE VIETNAMESE

739. From the beginning of the DK regime, CPK leaders planned to eliminate the ethnic Vietnamese community from Cambodia. However, the strategy to eradicate the Vietnamese from Cambodia took two forms and evolved over time: in the early years the regime relied primarily on deporting Vietnamese from the country,³⁰³² while in later years all those that could be found were simply killed. The Khmer Rouge expelled up to 150,000 ethnic Vietnamese civilians in approximately the first year of the DK regime,³⁰³³ some of whom were massacred en route to Vietnam.³⁰³⁴ An estimated 20,000 persons of Vietnamese or mixed Khmer-Vietnamese ethnicity remained in Cambodia after the expulsions. Almost all of these people were killed by the end of the DK regime.³⁰³⁵
740. As noted by expert Alexander Hinton, “everybody suffered [during the DK regime] but there were certain groups that suffered more and certain groups that were explicitly targeted for destruction.”³⁰³⁶ Ethnic Vietnamese were constantly portrayed by the Khmer Rouge as enemies who were a threat to Cambodia. Simply being ethnically Vietnamese was sufficient reason for CPK cadres to kill a man, woman, or child.³⁰³⁷

Deport and Smash: The CPK Policy to Destroy the Vietnamese

741. The plan to remove all Vietnamese from Cambodia was announced to Khmer Rouge leaders at the 20-25 May 1975 mass meeting in Phnom Penh.³⁰³⁸ Pol Pot “stressed the importance of evacuating all of the Vietnamese people out of Cambodian territory”.³⁰³⁹ Nuon Chea said, “We cannot allow any Vietnamese minority” to live in Cambodia.³⁰⁴⁰
742. According to Meas Voeun, who was Deputy Commander of West Zone Division 1,³⁰⁴¹ “[t]he important thing” about CPK policy was “that ‘Yvon’ were not allowed to live in Kampuchea.”³⁰⁴² The April 1976 *Revolutionary Flag* charted the progress of the removal of the Vietnamese from Cambodia, noting that the Khmer Rouge had “swept hundreds of thousands of these foreigners clean and expelled them from our country”.³⁰⁴³
743. Killings occurred in tandem with expulsions.³⁰⁴⁴ In the period April to May 1975, a commander’s request to the hierarchy in Kampong Som sought “guidance on the disposition of” more than 10 captured Vietnamese refugees.³⁰⁴⁵ In response, “[t]he High Command in Kampong Som ordered the commander to kill the refugees. The Commander and his deputy carried out the order.”³⁰⁴⁶ In 1976, local authorities began taking away

Vietnamese under pretexts such as re-education, relocation, work, or arrest — with the Vietnamese disappearing thereafter.³⁰⁴⁷ Meas Voeun confirmed that between 1975 and 1979 “[the Vietnamese] had to be gathered up and sent to the upper echelon.”³⁰⁴⁸ Witnesses testified that those “gathered up” were killed pursuant to the CPK’s policy.³⁰⁴⁹ Almost all of the Vietnamese prisoners transferred from Kampong Som to S-21 on 7 May 1976 were killed within a few weeks of their arrival in a mass execution conducted on 24 May 1976.³⁰⁵⁰

744. By 1977, the regime relied on killings as the means of cleansing Democratic Kampuchea of all ethnic Vietnamese.³⁰⁵¹ Meas Voeun testified: “we were instructed that Vietnamese had to be smashed because they did not return to their country.”³⁰⁵² Pak Sok, a member of DK naval Division 164³⁰⁵³ and thus a subordinate of **Meas Muth**, provided further evidence corroborating the instruction to kill all Vietnamese that remained in DK. He stated that there were mandatory trainings in all battalions in Division 164 in early 1977³⁰⁵⁴ at which: “We were instructed to kill [the Vietnamese], even if it was a baby, because they are our hereditary enemy, so we must kill them.”³⁰⁵⁵
745. The Vietnamese policy was disseminated through meetings, speeches, and written material. The contents of *Revolutionary Flag*, a party propaganda and policy magazine, were brought to the lowest echelons to be studied collectively and individually.³⁰⁵⁶ The Centre received regular updates of the implementation of the policy.³⁰⁵⁷ Telegrams detailed the capture, interrogation, and killing of Vietnamese.³⁰⁵⁸ For example, on 1 April 1978, **Meas Muth** sent senior DK leaders a telegram detailing the capture and execution of 120 “Yuong” in a three-day period at the end of March 1978.³⁰⁵⁹ By contrast, the same report details the release of individuals from Thailand who had been arrested.³⁰⁶⁰
746. The CPK guided the development of the policy’s implementation. In May 1978, Ros Nhim requested advice from Office 870 on what to do with “elements like [...] Vietnamese people--a Khmer husband with a Vietnamese wife or a Vietnamese husband with a Khmer wife--and half-bred Cambodian-Vietnamese people.”³⁰⁶¹ While awaiting *Angkar*’s instructions on how to deal with these people, Ros Nhim noted that if any such person did something, “let him/her be swept off [killed].”³⁰⁶²

747. Evidence shows that individuals of mixed Vietnamese-Khmer heritage were indeed “swept off”.³⁰⁶³ Uch Sunlay testified that his children were killed because they were considered Vietnamese descendants and the policy of the Khmer Rouge was “to uproot the grass”.³⁰⁶⁴ He understood this to mean that “they had to eradicate everything”.³⁰⁶⁵ Expert Alexander Hinton explained that Pol Pot’s use of the word “seed” in his April 1978 speech to describe the expulsion of Vietnamese was “a root metaphor” for “the destruction of what might be called a race”.³⁰⁶⁶
748. The methodical implementation of the CPK’s genocidal policy against the Vietnamese is evident in a 1978 Sector 37 report to the Centre leaders. In August 1978, Office 401 reported to *Angkar* that it had applied the Party’s “guideline and assignment” to take steps to “remove, screen out, and sweep” enemies, by screening for “Vietnamese emigrants”.³⁰⁶⁷ The result of this screening: “100 Vietnamese people--small and big, young and old--have been smashed.”³⁰⁶⁸
749. The CPK continued to pursue its Vietnamese policy to the end of the regime. An Office 870 report of 1 January 1979 instructed that the CPK, the RAK, all cadres, and the Kampuchean people must continue to “track down and search out Yuon enemy agents and not allow them to hide anywhere at all, to eliminate them”.³⁰⁶⁹

Not a Military Target: The Destruction of the Ethnic Vietnamese

750. The DK regime’s policy to kill Vietnamese was aimed at all ethnic Vietnamese, military or civilian. Pol Pot’s April 1978 speech leaves no doubt that he regarded all people of Vietnamese ethnicity, both in DK and in Vietnam, as mortal enemies. Referring to the total populations of Vietnam and DK he asked, “the Yuon have a population of 50,000,000 and Kampuchea has only 8,000,000 [...] can 8,000,000 fight 50,000,000 aggressors?”³⁰⁷⁰ Pol Pot described a “people’s war [...] to defeat the enemy”, wherein “The Party made the determination to fight and smash large numbers of the enemy’s life forces and to protect our forces to the maximum.”³⁰⁷¹ The forces in question being smashed were civilian and not military, as is clear from the repeated reference to the entire Vietnamese population: “Up until today we have implemented 1 against 30, meaning we lose 1, the Yuon lose 30 [...] So when we have 2,000,000 we already have more than we need to fight them because they only have 50,000,000.”³⁰⁷² The speech emphatically concludes that this is not a war

between military adversaries, but a war between peoples: “*I against 30*. If we cannot implement this slogan, we cannot seize victory. This issue does not just apply to the Army: the entire Party, the entire Army, *the entire people absorb this line and view and stance*.”³⁰⁷³ Expert Alexander Hinton characterised this speech as indicative of “genocidal incitement” and noted that the term “Yuong” was “being used both against people from the country of Vietnam, but as well against people who are identified as ethnic Vietnamese”.³⁰⁷⁴

751. Those listening to Pol Pot’s speech, which was also broadcast on DK radio on 11 May 1978,³⁰⁷⁵ understood it as a call to war against ethnic Vietnamese civilians, not just a military war against Vietnam. Meas Voeun testified that all Vietnamese people regardless of their status or age were considered “hereditary enemies”.³⁰⁷⁶ Nuon Chea underlined that the Vietnamese being targeted were not soldiers coming across the border. In July 1978, Nuon Chea told a visiting delegation that “Vietnam, in particular is trying to undermine our party by military, political, economic and ideological means. *The Vietnamese also try to infiltrate our party. We are not worried about the external military aggression. We worry most of all about the enemy inside.*”³⁰⁷⁷

Evidence of the CPK’s Animus towards the Vietnamese as an Ethnic Group

752. Expert Alexander Hinton testified that a “pre-existing animus” towards ethnic Vietnamese “was mobilized almost from the start”³⁰⁷⁸ of the DK regime and “led toward their targeting and elimination”.³⁰⁷⁹ Various CPK documents classify the Vietnamese as “enemies”.³⁰⁸⁰ Prak Khan testified that, between 1977 and 1978, S-21 staff were told by Duch and Son Sen at a political study session that the Vietnamese were “the hereditary enemy” of the CPK.³⁰⁸¹ The July 1978 *Revolutionary Flag* declared that the “Yuong” “have been our national enemy from the beginning up through the present, and will be our enemy in the protracted future as well.”³⁰⁸² In September 1978, Nuon Chea referred to “Vietnamese enemy’s acts” against “the Kampuchean people” in a speech.³⁰⁸³ The propagation of such statements was effective. Meas Voeun testified that people described Vietnam as the number one enemy of DK.³⁰⁸⁴ “Everyone heard of it, that they were hereditary enemies.”³⁰⁸⁵

753. Characterisation of the Vietnamese as enemies was coupled with the CPK continuously calling for their destruction. Division 164 cadre Pak Sok testified that soldiers were instructed to kill all Vietnamese, even children, “because they are our hereditary enemy”.³⁰⁸⁶ At an April 1978 meeting marking the anniversary of the Khmer Rouge capture of Phnom Penh,³⁰⁸⁷ attendees pledged “to exterminate the enemies of all stripes, particularly the expansionist, annexationist Vietnamese enemy, in order to preserve the nation and Cambodian race forever”.³⁰⁸⁸
754. Repeated references to the struggles of the “Kampuchean race”³⁰⁸⁹ and “Kampuchean nation” reflect CPK dogma that there could only be a single race in DK,³⁰⁹⁰ and the strategy to eliminate all ethnic Vietnamese in the country. In April 1976, *Revolutionary Flag* declared that:

Our people are called the ‘Kampuchean people.’ However, there were many foreigners, hundreds of thousands, and one type of foreigner that was very strongly poisonous and dangerous to our people. These people have what is called a poisonous composition since they came to wolf us down, came to nibble at us, came to swallow us, came to confiscate and take away everything, and came to endanger our nation and our people.³⁰⁹¹

755. Alexander Hinton testified that this document relates to “ethnic Vietnamese who were living in Cambodia at the time the DK regime took power”,³⁰⁹² and suggested that the CPK was “talking about a purification”³⁰⁹³ of the ethnic Vietnamese.
756. Such messages were repeated throughout the DK regime. In September 1978, Nuon Chea praised the RAK for crushing the Vietnamese strategy of “exterminating the Kampuchea’s race”.³⁰⁹⁴ Khieu Samphan evoked similar images while referring to the need for Cambodians to unite to “smash the acts of aggression, expansion and anti-Kampuchean genocide” by Vietnam.³⁰⁹⁵ According to David Chandler, this pitting of Khmer against Vietnamese was part of the CPK’s policy of a “race war against the Vietnamese”.³⁰⁹⁶ The July 1978 issue of *Revolutionary Flag* made it “[t]he national duty of all of us” to “fight to eliminate our aggressive, expansionist, territory-swallowing and genocidal Yuon enemy”, the “genocidal Yuon enemy of the Kampuchean race.”³⁰⁹⁷
757. The Vietnamese were also portrayed as “traitorous”, with the May-June 1978 *Revolutionary Flag* detailing that “traitorous networks” within Cambodia needed to be

attacked and that “[o]ur sharpest attack is on the aggressive, territory-swallowing Yuon”.³⁰⁹⁸ Through this constant demonising, the CPK actively sought to incite animosity against ethnic Vietnamese. On 3 January 1978, Office 870 disseminated instructions emphasising that: “It is imperative [...] to constantly stir up national and class anger among the people toward the Yuon enemy invader in order to turn such anger into material anger, to carry out all types of concrete activities”.³⁰⁹⁹ These instructions were distributed down the echelons of the Party.³¹⁰⁰ If implemented well, the document concluded, then “the Yuon invader will definitely leave piles of their bones on our soil.”³¹⁰¹

758. CPK internal propaganda emphasised highly emotive and negative descriptions of Vietnamese. The April 1977 issue of *Revolutionary Flag* referred to CIA, KGB, and “Y[uon]’ agents” as “the cheap running dogs of the enemy” who 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.”³¹⁰² The document instructed cadres that: “We must continue to strike them and trample them [...] and must constantly be on the offensive against them during 1977 to smash them even more so they cannot raise their heads.”³¹⁰³

759. Terms such as eradicate,³¹⁰⁴ smash,³¹⁰⁵ sweep away,³¹⁰⁶ wipe out,³¹⁰⁷ exterminate,³¹⁰⁸ and liquidate³¹⁰⁹ were frequently used in CPK documents to describe what cadres should do to the Vietnamese. CPK documents used derogatory and dehumanising descriptions of the Vietnamese, with terminology such as the “[t]he Yuon stunk to high heaven and are degradingly despised as nothing”,³¹¹⁰ that they were “criminal”,³¹¹¹ “noxious”,³¹¹² “greedy”,³¹¹³ “savage”,³¹¹⁴ “oppressors”,³¹¹⁵ “rats”,³¹¹⁶ “running-dogs”,³¹¹⁷ “germs”,³¹¹⁸ and invoking the image of parasites, describing the Vietnamese as “enemies boring from within”.³¹¹⁹ The Vietnamese were also depicted as sexually deviant, being accused of raping Cambodian girls³¹²⁰ and selling Vietnamese girls in order to achieve their annexationist ambitions.³¹²¹

760. The CPK also targeted civilians in cross-border attacks into Vietnam.³¹²² Khieu Samphan would later describe these attacks as “medieval-type cruelties”, stating that “[t]here is no doubt that the Khmer Rouge made forays into Vietnamese villages along the border, committing appalling crimes against Vietnamese civilians.”³¹²³

761. CPK units involved in cross-border attacks made no distinction between Vietnamese soldiers and ordinary civilians.³¹²⁴ An 8 April 1978 report from Son Sen to Ieng Sary detailed the killing and wounding of “many hundreds” and the burning of “hundreds of houses” in an attack on a “population center” and a “market” across the Vietnamese border.³¹²⁵ The notebook of an S-21 interrogator covering January 1978 to July 1978 details how “[w]e attacked inside the Yuon territory” and claimed that Khmer Rouge units “[a]chieved the principle of 1 - 30”,³¹²⁶ demonstrating that CPK forces sought to implement Pol Pot’s policy that each Khmer should kill 30 Vietnamese.

IMPLEMENTATION OF THE GENOCIDAL POLICY AGAINST THE VIETNAMESE

Deportation of the Vietnamese

762. The CPK plan to cleanse DK territory of all Vietnamese inhabitants resulted in some 150,000 Vietnamese being deported in the early part of the DK regime.³¹²⁷
763. In 1976, the Vietnamese and DK governments implemented an exchange, through which Vietnamese living in Cambodia were sent back to Vietnam, and Khmers living in Vietnamese territory were sent back to DK.³¹²⁸ Former Tram Kak District Secretary Pech Chim testified that the programme represented a solution to the issue of the Vietnamese.³¹²⁹
764. Some Cambodians who had fled to Vietnam following the Khmer Rouge takeover of the country returned to Cambodia, unaware of the dire situation under the DK regime.³¹³⁰ They were exchanged for an equal number of Vietnamese expelled from Cambodia under the exchange programme.³¹³¹
765. The deportation effort was carried out throughout the country and was effective. The April 1976 *Revolutionary Flag* declared that “our democratic revolution swept hundreds of thousands of these foreigners clean and expelled them from our country, got them permanently out of our territory.”³¹³² The same document described these forced removals as having “sorted this issue out cleanly and sorted it out entirely”.³¹³³
766. Nevertheless, expulsions continued. Prak Doeun testified that, having been forcibly relocated to Ta Mov island in 1977, the unit chief announced that the Vietnamese were subject to be returned to Vietnam and if anyone wished to go — they should.³¹³⁴ This was no real choice, however, as the alternative was to stay and be killed. Prak Doeun witnessed

20 to 30 Vietnamese people³¹³⁵ being rounded up and put into a covered boat.³¹³⁶ He testified that one Vietnamese woman remained in the cooperative but was beaten by cadres for speaking Vietnamese and she too was subsequently sent to Vietnam.³¹³⁷

767. Witness Choeung Yaing Chaet was deported from Kampong Chhnang to Vietnam via Prey Veng in exchange for rice.³¹³⁸ Two months earlier his family had been killed.³¹³⁹ He travelled on a boat to Phnom Penh, with 50 or 60 other boats carrying Vietnamese.³¹⁴⁰ Then he was transferred to a motorboat with 60 other Vietnamese people which travelled on to Prey Veng.³¹⁴¹ When they arrived at Neak Leung, cadres counted the people on the ferry and in exchange, the Vietnamese provided salt and rice.³¹⁴²

768. Some of those rounded up and told they were being sent to Vietnam were, in fact, killed.³¹⁴³ Uch Sunlay's Vietnamese mother-in-law boarded a truck with other Vietnamese persons in Kratie having been told they would be sent to Vietnam.³¹⁴⁴ Uch Sunlay testified that the driver of the truck told him that these people were executed.³¹⁴⁵ Similar reports of individuals being killed instead of being transported to Vietnam come from Sector 37.³¹⁴⁶ Author Ben Kiernan conducted interviews during which he recorded reports of massacres of Vietnamese who volunteered for repatriation in 1977.³¹⁴⁷

Killings of the Vietnamese

769. Even while deportations were ongoing, from the beginning of the DK regime, the CPK also killed Vietnamese to ensure that the group was eradicated from Cambodian territory. In April-May 1975, Division 164 requested information from higher echelons on how to deal with detained Vietnamese:

[U]nit captured a boat carrying more than 10 Vietnamese refugees, including women and children. [...] The 408th Commander contacted Kampong Som for guidance on the disposition of the refugees. The High Command in Kampong Som ordered the Commander to kill the refugees. The Commander and his Deputy carried out the order.³¹⁴⁸

770. Following the mass expulsions, there were many Vietnamese who had not returned to Vietnam and who, in line with CPK policy,³¹⁴⁹ had to be smashed.³¹⁵⁰ Individuals of Vietnamese ethnicity were sought out and executed throughout the country.³¹⁵¹

a) Identifying the Vietnamese Population

771. Ros Saroeun, a mechanic interviewed by Expert Ben Kiernan, was in the district office in Oudong on 1 April 1977 when he read a “Directive from 870” that instructed local officials to arrest all ethnic Vietnamese, and all Khmers who spoke Vietnamese or had Vietnamese friends, and hand them over to state security forces.³¹⁵² Witness testimony and documents have demonstrated that this policy was implemented.
772. In July 1977, Meas Voeun attended a congress of the West Zone with senior CPK leaders.³¹⁵³ He testified that the purpose of the meeting was to instruct attendees about smashing enemies including the “Yuon” and that the CPK “wanted to search out the infiltrated enemies that were within the army or cooperatives.”³¹⁵⁴ This instruction from senior leaders was carried out at the lower echelons. Meas Voeun testified that villagers knew who the “Yuon” were and gave this information to soldiers.³¹⁵⁵
773. Both military and civilian cadres were tasked with identifying Vietnamese in their midst.³¹⁵⁶ Prum Sarun, chief of a platoon in Banan District after 1975,³¹⁵⁷ testified that his battalion chief told him to report any Vietnamese in his unit, and the battalion chief would then pass the report on to the upper echelon — meaning the chief of the district.³¹⁵⁸ Prum Sarun was told that the upper echelon would “handle” the Vietnamese, meaning they would kill them.³¹⁵⁹
774. Office 401 reported to *Angkar* in August 1978 that it had screened for “Yuon aliens” pursuant to the Party’s policy³¹⁶⁰ and executed them.³¹⁶¹ Likewise, Prak Doeun testified that he was asked by CPK cadres on Ta Mov island³¹⁶² if his wife was Khmer or Vietnamese.³¹⁶³ He was also questioned whether there were any Vietnamese in his cooperative.³¹⁶⁴
775. People of Vietnamese descent sought to hide their ethnicity in fear for their lives. Prak Doeun, whose wife was Vietnamese, testified that he did not use the Vietnamese name of one of his daughters from mid-1976,³¹⁶⁵ as he was afraid she would be killed if her Vietnamese name was known.³¹⁶⁶ Despite his efforts, Prak Doeun’s daughter was subsequently killed.³¹⁶⁷ The campaign against people of Vietnamese ethnicity was so blatant and brutal, Khmer people feared speaking to ethnic Vietnamese, fearing that they too would be taken away and killed.³¹⁶⁸

776. Cadres in the provinces sought directions from *Angkar* in Phnom Penh as to what to do with Vietnamese once they had been detained. A telegram sent by Division 801 on 15 June 1977 reported the capture of a group of Jarai who had come from Vietnam, whom the telegram described as “209 Yuon troops, among whom there were nine women”. The telegram, copied to Nuon Chea and others, requested a decision from “the highest level” on the individuals.³¹⁶⁹

b) *Digging the Root: The CPK’s Matrilineal Targeting of Vietnamese*

777. Lower echelons sought guidance from the CPK centre on the policy towards families where Vietnamese and Khmer had wed or had children together. In May 1978, Ros Nhim made a request in which he asked Office 870 what to do with ethnic Vietnamese with Khmer spouses and the “half-bred Cambodian-Vietnamese people”.³¹⁷⁰ Pursuant to its policy to “dig up the root” in order to forever destroy its enemies, the CPK targeted the children of such mixed marriages if the mother was Vietnamese, believing that ethnicity was matrilineal.³¹⁷¹

778. Uch Sunlay’s wife and three children were killed during the DK regime. He testified that his children were killed because they were considered Vietnamese descendants.³¹⁷² Doung Oeurn, whose Vietnamese husband was killed, testified that their daughter was not taken away because she was the offspring of a Cambodian mother.³¹⁷³ Some Khmer men whose Vietnamese wives were killed were encouraged to remarry with a Khmer woman.³¹⁷⁴ Targeting very young children who were believed to carry Vietnamese ethnicity and ensuring that Khmer married Khmer were manifestations of the Party leaders’ intent to erase future generations of Vietnamese or part-Vietnamese and to destroy the group as such.

Killings Throughout Democratic Kampuchea

779. In addition to the genocidal rhetoric and policy statements of CPK leaders at all levels, a consistent pattern of killings throughout the territory of Democratic Kampuchea demonstrates the existence of the CPK and DK policy to commit genocide against the Vietnamese.

780. Killings of Vietnamese occurred in the North Zone,³¹⁷⁵ the Northeast Zone,³¹⁷⁶ the Northwest Zone,³¹⁷⁷ the East Zone,³¹⁷⁸ including particularly Sectors 23³¹⁷⁹ and 24,³¹⁸⁰ Sector 505 (Kratie),³¹⁸¹ the West Zone,³¹⁸² the Southwest Zone,³¹⁸³ and at S-21.³¹⁸⁴

Meas Muth's Implementation of the Genocide Policy

a) Orders to Kill Vietnamese in Division 164

781. The evidence proves that **Meas Muth** was well aware of the CPK policy to destroy the Vietnamese in Cambodia as a distinct ethnic group. **Meas Muth** disseminated that policy to his subordinates in Division 164. Further, **Meas Muth** implemented the policy through mass killings of Vietnamese captured in areas controlled by forces under his command.
782. The Division 164 leadership was involved in the killing of Vietnamese captured in waters claimed by Cambodia in two ways. First, a general policy of killing all Vietnamese was promulgated throughout the Division. Second, division leadership was informed of the capture of particular vessels and issued specific orders to kill Vietnamese captured on each occasion, thus reinforcing and confirming the general policy.
783. Two of **Meas Muth's** Division 164 subordinates give powerful evidence of the promulgation of the general policy of killing Vietnamese. In Case 002/02, Division 164 soldier Pak Sok testified that members of Division 164 received instructions to kill all Vietnamese, even babies, because they were the “hereditary enemy” of Khmer people.³¹⁸⁵ He also gave evidence that the concept of Vietnamese as the “hereditary enemy” and “enemy number one” originated from trainings at the divisional level, and that **Meas Muth** was in charge of political education in the division.³¹⁸⁶ Pak Sok also stated in his DC-Cam interview that the order to kill Vietnamese refugees came from **Meas Muth**.³¹⁸⁷
784. Division 164 soldier Ek Ny stated that “it was the law set up by the upper levels that we had to absolutely smash the Vietnamese race regardless of whether they were just ordinary citizens or fishermen. We had to arrest them all”.³¹⁸⁸ **Meas Muth** also issued the following chilling instruction to Ek Ny and his Division 164 colleagues: “Ta Muth ordered us not to waste gasoline to transport [Vietnamese and Thai prisoners] to Kampong Som anymore. He told us that we should make them as fertilizer for the coconut trees on the island. Each

corpse was cut into two pieces, and one piece was buried under one coconut tree as fertilizer.”³¹⁸⁹

785. **Meas Muth** stayed closely informed of specific incidents in which boats were captured and issued additional specific orders to kill Vietnamese prisoners. When Division 164 personnel observed a foreign vessel, they were required to report up the chain of command, with such reports ultimately reaching the divisional level.³¹⁹⁰ Because the fate of captured foreigners frequently depended on their nationality, Division 164 personnel had to carefully report this information.³¹⁹¹ Once the reports reached the divisional level, orders would be issued in simple language such as “shoot them dead” or “send them to the mainland.”³¹⁹² These orders were sent out in plain language, unencoded, over the radio.³¹⁹³ In fact, **Meas Muth**’s orders regarding the Vietnamese people captured at sea during the entire period extending from late April 1975 and 6 January 1979, were to either systematically kill them on the spot³¹⁹⁴ or transfer them to islands or mainland in order to kill them.³¹⁹⁵ Pak Sok stated that it was “the standard operational procedure” for **Meas Muth** to issue the orders to kill,³¹⁹⁶ and on one occasion in 1975 **Meas Muth** publicly criticised a subordinate for killing without explicit permission from **Meas Muth** to do so.³¹⁹⁷ When **Meas Muth** was absent, orders to capture or kill could be issued by his deputies.³¹⁹⁸

b) *Meas Voeun’s Corroboration of Orders to Kill all Vietnamese*

786. Meas Voeun, the Deputy Commander of West Zone Division 1,³¹⁹⁹ gave testimony that strongly corroborates the evidence of Division 164 soldiers Pak Sok and Ek Ny that Division 164 received orders to kill all Vietnamese. Although Meas Voeun was not in Division 164 but rather in the West Zone’s Division 1,³²⁰⁰ he testified that Division 1 and Division 164 received the same orders.³²⁰¹ His evidence about the orders received by his division and the policy behind the orders therefore corroborates direct evidence of the orders received in Division 164.
787. Meas Voeun testified unequivocally that there was a policy to eliminate the Vietnamese living in Cambodia between 1975 and 1979, stating:

Yes, I heard about that. I heard about the Vietnamese living in Kampuchea. Vietnamese who lived in Cambodia did intend to cause troubles to the Kampuchean people and did not do an honest living. Initially, from -- stating from 1970, they were peacefully sent to -- sent

back to their country by the Cambodian government, and that continued until 1975. So then for us, later on we were instructed that Vietnamese had to be smashed because they did not return to their country. There were then clashes along the border due to this issue.³²⁰²

788. Asked whether there were many Vietnamese who had not returned to Vietnam and who had to be smashed, Meas Voeun responded:

Yes, there were. When they were allowed to return to their country not every one of them returned. Some of them remained living in Kampuchea or married with Kampuchean people. The majority of them who decided to remain living in Cambodia were living in Kampong Chhnang, that is along the riverbanks. And then that's why there were later on clashes between the Vietnamese and the Kampuchean people. And it also happened in the West Zone.³²⁰³

789. The day after giving this testimony, Meas Voeun attempted an implausible retreat from his evidence, claiming instead that "we had to gather all those 'Yvon' who had lived in Kampuchea and they should be gathered in one place."³²⁰⁴ However, he failed to explain why if there had not been a plan to destroy all of the Vietnamese in Cambodia, he would have testified to receiving such instructions just the previous day. It appears that recognising overnight the significance of his testimony which implicated both himself and his former CPK colleagues in a genocide, Meas Voeun tried to disassemble his admission without any credible explanation for the sudden change in his account.

790. Further supporting Meas Voeun's admission of a CPK policy to smash all Vietnamese, he admitted to having attended a congress of the West Zone with senior CPK leaders in July 1977 in Chbar Mon District, Kampong Speu Province.³²⁰⁵ The purpose of the meeting was to discuss smashing enemies³²⁰⁶ which included highlighting the "'Yvon's' tricks".³²⁰⁷ Meas Voeun testified that "Yvon" referred to Vietnamese people regardless of their status as civilian or soldier.³²⁰⁸ The point of the meeting was clear according to the witness, "they wanted to search out the infiltrated enemies that were within the army or cooperatives."³²⁰⁹

791. The August 1977 *Revolutionary Flag* provides further details of this West Zone meeting, corroborating Meas Voeun's testimony. According to the account set out in *Revolutionary Flag*, the meeting emphasised that "[i]t is imperative to prepare forces to *attack, attack and smash the enemy*"³²¹⁰ and that "[i]f we whip [the people] up like this the enemy [outside] will not be able to enter. The enemies embedded inside will be unable to do anything."³²¹¹

c) Killings of Vietnamese Carried Out by Division 164 Personnel – Victims Captured at Sea

792. Many of the Vietnamese victims of the genocide perpetrated by **Meas Muth** and his Division 164 subordinates were individuals captured at sea and subsequently executed on board boats, on one of the islands within Division 164's area of responsibility, in Kampong Som, or at S-21. Although the victims of extrajudicial killings carried out by Division 164 were not exclusively Vietnamese, hundreds or thousands were. Evidence shows that the treatment of Vietnamese was consistently harsher than that of Thais captured in Cambodian waters, who were sometimes released in exchange for food or other supplies. The disparate treatment of Thais and Vietnamese captured in similar circumstances demonstrates a policy of killing captives simply because they were Vietnamese.
793. Division 164 soldier Pak Sok's evidence gives an indication of the scale of the killing of those captured in waters claimed by the DK authorities. When asked how many civilians, refugees and fishermen captured in Cambodian waters were killed between 1975 and 1979, he answered, "Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed [at] sea, on the islands, or on the mainland."³²¹² Similarly, when Division 164 soldier Ek Ny was asked to estimate how many people were killed at sea by naval forces during the DK regime, his answer was, "According to my estimation, around over 1,000 people were killed. [...] Regarding the minimum number: it must not have been fewer than 1,200 or 1,300 people."³²¹³
794. The number of Vietnamese victims will never be precisely known, but evidence demonstrates that these estimates are reasonable. On 1 April 1978, **Meas Muth** reported to Pol Pot, Nuon Chea and others that "the number of Yuon who have been captured and shot to death from 27 March 1978 to 30 March 1978 is 120 head."³²¹⁴ These victims came from a total of five boats captured during that period.³²¹⁵ The fact that 120 Vietnamese were killed in just a four-day period supports Pak Sok's and Ek Ny's estimates of the total number of victims.
795. These estimates are further supported by the fact that boats of Vietnamese refugees bound for Thailand³²¹⁶ or elsewhere³²¹⁷ carried an average of 30 persons,³²¹⁸ with some carrying up to 50 to 70 refugees.³²¹⁹ Estimating the number of boats of Vietnamese he saw being

captured, Division 164 soldier Ek Ny said, “For the Vietnamese, there were three to four boats per month. Sometimes, there were three to four boats per day. It was not regular.”³²²⁰ Even taking the lower estimate of three to four boats per month, and keeping in mind that Ek Ny is reporting only on those incidents he personally witnessed, it is clear that the number of Vietnamese arrested and killed by Division 164 soldiers was very large.

796. Evidence shows that the treatment of the Vietnamese people intercepted at sea was indiscriminate to their status, and all persons, whether they were military or ordinary citizens, young, old, male or female, were either shot immediately or taken to land and ultimately killed.³²²¹ Generally speaking, when Division 164 soldiers captured fewer than 20 Vietnamese people, they would be ordered to kill them on the spot, while if more than 20 were captured, they would be taken to Ochheuteal and would be killed later.³²²² If Vietnamese soldiers were captured, they would always have to be sent to shore so their confessions could be recorded before they were killed.³²²³ When killings had been completed, reports were sent back to the divisional headquarters by radio, using explicit phrases such as “[it] is done” or “They have already finished off those people.”³²²⁴
797. Numerous witnesses and documents discuss specific examples of the arrest and execution of Vietnamese captured at sea either on the islands or in the Kampong Som sector, especially at the Durian I and Toek Sap execution sites,³²²⁵ including at least one situation in which victims were murdered just a few metres from **Meas Muth**’s house in Kampong Som.³²²⁶ Others were transported to S-21, where they were also killed.³²²⁷ At least a portion of those transferred to S-21 were detained at security centres in the area under **Meas Muth**’s control, where some were forced to work.³²²⁸ These killings are discussed in more detail elsewhere in this Submission.³²²⁹

d) *Killings of Vietnamese from Kratie at S-21 during the period Meas Muth controlled Sector 505*

798. During the period in which **Meas Muth** controlled Sector 505 (Kratie), at least six Vietnamese were arrested and sent to S-21, where they were executed.³²³⁰ These crimes are discussed further elsewhere in this Submission.³²³¹

H. FORCED MARRIAGE AND RAPE

1. INTRODUCTION

799. **Meas Muth** is charged with the crime against humanity of other inhumane acts in relation to forced marriages and rape (the forced consummation of these marriages) in Kampong Som Sector. Forcing individuals to wed partners chosen by the regime and then to consummate the marriage was part of a national policy of the CPK leadership. **Meas Muth** ensured that this policy was implemented in the areas he controlled. As such, forced marriages were prevalent in Kampong Som Sector, where **Meas Muth**'s subordinates forced couples to marry and then coerced them into having sexual relations. Couples obeyed these orders out of fear that they would be killed if they refused.

2. ESTABLISHMENT OF THE NATIONAL FORCED MARRIAGE POLICY

800. Before the CPK took control of the country, marriage in Cambodian society was anchored in rich tradition, entailing sacred rituals,³²³² the participation and control over the marriage process by the couple's family members,³²³³ and, most crucially, the consent of both bride and groom.³²³⁴ These practices changed drastically once the CPK came into power.³²³⁵ Between late 1975 and the end of the regime, the concept of the revolutionary family was formed. In order to meet the goals set by the CPK with respect to national defence and agricultural production, the Party Centre adopted a policy of choosing spouses and arranging marriages so that the couples would procreate and rapidly increase the population. Authorities selected groups of men and women to wed in mass ceremonies devoid of Cambodian tradition.

801. After the marriage took place, couples were expected to consummate the union and authorities monitored their compliance. Most of these DK-arranged marriages lacked consent from one or both spouses. CPK leaders intentionally forced, threatened with force, or coerced civilians and members of the military to marry and subsequently consummate their marriages. These events were very traumatic for the victims at the time and often had lifelong consequences, including both physical and mental injuries.

802. Although there were minor regional variations, the practice of screening the couples' backgrounds before pairing them, the arrangement and notification of impending

marriages, the ceremonies themselves, and the monitoring of consummation were carried out across DK by local CPK cadres in a similar, organised fashion. The large-scale occurrence of forced marriages and forced consummation and the similar way they were implemented across the country establishes that these crimes were carried out pursuant to a Party policy and were part of the DK regime's widespread and systematic attack on Cambodian civilians.³²³⁶ All of these practices were further manifestations of the DK regime's exercise of power and ownership over individuals.³²³⁷

CONCEPT OF THE REVOLUTIONARY FAMILY

803. As explained in a 1975 issue of *Revolutionary Youth*, to serve the revolution, one had to sacrifice “private possessions such as housing, paddy-farm, garden, family, parents, relatives and other properties”, including “sentiment”.³²³⁸ Since family relationships were “private possessions”, they had to be sacrificed in exactly the same way as material wealth. It also meant that the CPK felt entitled to take absolute control over “family building”.³²³⁹
804. The CPK first published its views on family building in the February 1974 issue of *Revolutionary Youth*. Six weeks after capturing Phnom Penh, the Party reprinted the document for wider circulation.³²⁴⁰ Central to this document and subsequent pronouncements of the Party's stance was the concept of a new form of family, the revolutionary family. Building a family was no longer about following “whatever your heart sees,” or “personal interests”.³²⁴¹ Instead, absolute loyalty to *Angkar* was mandatory, and love for the Party replaced love for one's relatives. All other familial ties were rendered insignificant.³²⁴² The sole purpose of the “revolutionary family” was to advance the country's revolutionary goals.³²⁴³ It was dictated that the Party would only prosper by “handing over the family [to] the Organization” and to the “collective, to help educate and build”.³²⁴⁴ Thus, in serving the goal of rebuilding the country, families no longer needed to live together and were typically separated and sent to different worksites.³²⁴⁵ Very young children were separated from their mothers so that the mothers could focus on work, while the children were trained as “children of *Angkar*”, often tasked with spying on their own parents and denouncing their wrongdoings.³²⁴⁶
805. When explaining the CPK marriage policy, a former member of the Youth League of Kampuchea³²⁴⁷ said: “There were two phases. From 1970 to 1975, marriages were

postponed in the liberated zones. In the second phase, from 1976 to 1978 people were forced to get married.”³²⁴⁸

806. The CPK removed the right of Cambodian people to marry freely to their partner of choice.³²⁴⁹ Seeking spouses out of love, family interest, or happiness was viewed as “private ownership” that contravened the collective interests of the country.³²⁵⁰ Those who valued family interests were deemed to be deceiving and renouncing the revolution,³²⁵¹ and would constitute easy targets for enemy agents.³²⁵² 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.”³²⁵³

NEED FOR POPULATION GROWTH

807. Cambodia’s population was quickly dwindling as a direct result of CPK policies. Death rates increased during the DK regime due to executions and inhumane living and working conditions,³²⁵⁴ while birth-rates were plummeting due to overwork, malnourishment and other health complications,³²⁵⁵ strict prohibitions on sexual relations,³²⁵⁶ and separation of married couples who were rarely allowed to see each other.³²⁵⁷
808. The CPK leadership sought to drastically stimulate the birth-rate in an attempt to double or triple the workforce.³²⁵⁸ This imperative was twofold: 1) the country needed more manpower to develop the labour-intensive agricultural economy;³²⁵⁹ and 2) the leaders needed more soldiers to defend the country and, in particular, to fight their war against Vietnam.
809. CPK leaders publicly discussed such exigencies, announcing that the DK required a population of 15 to 20 million within five to 10 years to “meet the needs of [the] land,”³²⁶⁰ a utopian goal. Pol Pot and Khieu Samphan explained during the DK period that this goal was to be achieved mainly through the organisation of marriages,³²⁶¹ and relevant instructions were passed down to cadres for organising such marriages and ensuring their consummation.³²⁶² According to Chuon Thy, this policy was in force as early as 1975.³²⁶³ As hostilities with Vietnam intensified in 1977-1978, the matter became more urgent, and the number of wedding ceremonies across the country increased accordingly.³²⁶⁴ Ruos Suy, a cadre from the Ministry of Commerce, explained that his ministry unit was assigned

monthly minimum quotas for marriages in 1977 and 1978.³²⁶⁵ Therefore, when people reached a certain age (20 years for women and 25 years for men), “*they had to marry*”,³²⁶⁶ although the age limit was reduced over time³²⁶⁷ and there were several cases of much younger girls being forcibly married everywhere in the country, including in Kampong Som.³²⁶⁸

810. In keeping with the goal of inflating the population, couples were typically monitored immediately after their weddings to ensure that the unions were consummated.³²⁶⁹

3. IMPLEMENTATION OF THE NATIONAL FORCED MARRIAGE POLICY

ORGANISATION

811. During the DK regime, any form of tradition was gone and, generally, families no longer played any role in marriages.³²⁷⁰ Instead, *Angkar* determined *whether*, *when*, and *whom* couples would marry. Whilst the specifics of the process varied, the common denominator was the *complete* control wielded by *Angkar*.³²⁷¹
812. Whenever authorities had to pair couples, they were instructed to do so on the basis of identical political class, ethnicity, and background.³²⁷² Recommendations were then made and approved or rejected by the higher-level RAK/CPK authorities.³²⁷³ Sector and zone cadres were kept apprised of the number of couples married in their areas through reports sent up the chain to their attention; reports on marriages were also made by the zones to the Party Centre.³²⁷⁴

MARRIAGES WERE FORCED

813. In numerous cases, mass weddings of cadres, military, and ordinary civilians were organised solely by *Angkar* with little to no prior consultation with the intended spouses. Typically on the day of the ceremony or shortly before, work unit chiefs or other local authorities informed individuals that they would be getting married and asked them to report for the ceremony.³²⁷⁵ Often, this occurred after those chosen to marry were told they must obey *Angkar*’s orders.³²⁷⁶ Some chosen to marry had no advance notice at all, arriving for what they thought would be a meeting and leaving with a spouse.³²⁷⁷ Many had never met their spouse before the ceremony and some were unable to recognise him or her afterwards.³²⁷⁸ Among the victims were reluctant young women and sometimes ageing

former monks who were forcibly paired by *Angkar*.³²⁷⁹ Male RAK soldiers with disabilities were told to choose or were given a wife they did not choose as a “reward from *Angkar*” for their sacrifice. The selected brides typically met their disabled spouses for the first time at the ceremony.³²⁸⁰ Victims were deeply upset and/or traumatised by marrying people they did not know.³²⁸¹

814. The regime’s frequent use of violence and demand for blind obedience from individuals intentionally created a general atmosphere of terror and coercion, where refusal of any order or suggestion by *Angkar* was seen as gravely dangerous or even suicidal. In that context, *genuine* individual consent to marry was generally not possible.³²⁸² In fact, decisions from *Angkar* regarding marriages had to be “absolutely respected,”³²⁸³ and objections were normally not permitted.³²⁸⁴
815. Often the threats were implicit. Those who were instructed to marry legitimately feared that any refusal would brand them an enemy and could result in severe punishment for “disrespecting *Angkar*”, such as being sent for refashioning, re-education or execution.³²⁸⁵ Some had also heard of or seen people who were punished for refusing to marry.³²⁸⁶ The large majority of those chosen by *Angkar* to marry did not take the risk of voicing their objection and were therefore forced into conjugal relationships.³²⁸⁷ 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”.³²⁸⁸
816. The final decision on marriage belonged solely to *Angkar*.³²⁸⁹ The central policy document on family building pronounced:

When marrying, it is imperative to honestly make proposals to the Organization, to the collective, to have them help sort things out. Organizational discipline must be absolutely respected. 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.³²⁹⁰

817. Refusals of marriage proposals made by one or both partners³²⁹¹ were often followed by forced marriages to other individuals selected by the Party.³²⁹² Frequently, those who hesitated or refused the order to marry were expressly threatened³²⁹³ or punished.

Punishment included re-education, hard labour and imprisonment,³²⁹⁴ physical violence,³²⁹⁵ rape,³²⁹⁶ and execution.³²⁹⁷

THE CEREMONY

818. Sacred Cambodian traditions and rituals of the wedding ceremony that were intended to forge, celebrate, and bless the coming together of two families were not part of Khmer Rouge weddings.³²⁹⁸ Family members were generally excluded from the ceremony,³²⁹⁹ and cadres and militiamen took their place.³³⁰⁰ The couples took part in hand-holding ceremonies that more closely resembled a meeting than a significant life event.³³⁰¹ These ceremonies were called ceremonies of “resolution” or “exchange of vows”.³³⁰² Most frequently, the pairs were announced by name or were aligned in facing rows and instructed to hold hands with the person across from them.³³⁰³ The matched couples were then required to make a “resolution” or “commitment” to 1) serve *Angkar* or obey *Angkar*, and 2) to commit to their respective mates forever.³³⁰⁴ Cadres routinely instructed the couples to “get along” or “have children for *Angkar*”.³³⁰⁵

RAPE WITHIN FORCED MARRIAGE (FORCED CONSUMMATION)

819. DK authorities throughout the country were unequivocal in their message that the primary purpose of the couples’ marriage was to procreate.³³⁰⁶ After the ceremony, officials typically required the newlyweds to spend a few nights together to consummate their marriage before sending them back to their respective worksites.³³⁰⁷ Frequently, huts were arranged for their use, where they were expected to have sex.³³⁰⁸ To enforce consummation, Khmer Rouge militiamen were often stationed around or under the huts to monitor the couples’ night-time activities and conversations.³³⁰⁹ Fearing retribution and punishment for disrespecting *Angkar*, couples felt compelled to have intercourse with the person with whom they had just been paired.³³¹⁰ While many of the men were themselves victims and only engaged in sexual relations because of the coercion, some grooms forced themselves upon their new wives, either through fear of repercussions or simply because they felt entitled.³³¹¹ Those who continued to refuse to consummate the marriage and were discovered were re-educated, threatened with execution,³³¹² or harshly punished for their disobedience and sometimes disappeared, were tortured, and/or were executed.³³¹³

SEPARATION

820. Once a short period of time had passed for consummation to be 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.³³¹⁴ However, in order to produce babies for *Angkar*, couples were ordered, allowed, or encouraged to see each other, usually once or twice a month, but the express authorisation of their superiors was required.³³¹⁵

4. IMPLEMENTATION OF THE POLICY IN THE KAMPONG SOM AREA

821. Marriage in Kampong Som during the DK period presents some unique features that were absent in other parts of the country. Kampong Som Sector's inhabitants (both civilians and military) were under the authority of a Centre Division commander. Division 164 was the largest Centre Division of the country with over 8,600 soldiers in its ranks in 1976 (and numerous single males of marrying age).³³¹⁶ It had just one female battalion (Battalion 167) comprised of about 400 soldiers,³³¹⁷ which created a serious numerical imbalance between men and women. Most of the male soldiers did not originate from Kampong Som and had no opportunity to meet, know, or even see any local women. This was also the case for those who were stationed on islands or were patrolling at sea. Due to the deficit of women within the division, **Meas Muth** decided to have his soldiers marry civilian women either working in cooperatives and worksites in Kampong Som³³¹⁸ or living outside the Kampong Som boundaries, particularly in the Southwest Zone of his father-in-law, Ta Mok. Quite frequently, young women were specifically selected in Takeo or Kampot (in particular among the salt field workers) to marry Division 164 soldiers and work in the Kampong Som cooperatives and plantations, as witnesses Seng Ol, Nav Sokhan alias Ken, Yoem Sroeung and Vun Bunna testified to investigators.³³¹⁹

COMMUNICATION OF THE CPK MARRIAGE POLICY WITHIN DIVISION 164 AND WITHIN KAMPONG SOM SECTOR

822. There is evidence that the policy to increase the population in the Kampong Som area was presented during at least one political training session chaired by **Meas Muth** and Kim Nhan alias Nhan in Ochheuteal in 1977 or 1978.³³²⁰ Battalion 143 Commander Liet Lan reported that during this session:

[Ta Muth and Ta Nhan] laid out an annual marriage plan on the number of couples to be wed. They reviewed all the requests that had been made and determined the number of couples to be wed. Their plan was intended to increase the population to 20 million [...] Their plan was to arrange marriages for all those who had requested to marry.³³²¹

In particular, **Meas Muth** said that cadres:

should review all the marriage requests and marry them off. In so doing, we could achieve our two goals. The first was to increase the population to 20 million and the second was to satisfy the disgruntled people who had requested to marry a long time before but to no avail.³³²²

823. However, the Division 164 leadership did not marry only those who wanted to get married. For example, Liet Lan was married in a ceremony presided over by Division Committee member Kim Nhan, although both the bride and groom had refused to exchange their vows.³³²³

824. The same directive to organise marriages in order to increase the population was repeated by the Division 164 leadership to its soldiers. Battalion 633 commander Mak Chhoeun testified in the Case 002/02 trial:

the upper echelon's direction was to increase and organise forces such as producing children [...] Yes, the information was from the upper echelon down to the local levels, that our country was small, with less population but our land was big, so we had to increase our force in order to defend our country, that only when we had enough force that we can defend our country [...] We received the information down the chain of command; from down to the division level and then down to the other levels.³³²⁴

825. **Meas Muth** instructed his subordinates to arrange and celebrate vow ceremonies (weddings).³³²⁵ Deputy Division 164 Commanders Hang Doeun alias Dim,³³²⁶ Tim Seng and Kim Nhan (also Regiment 63 commander), as well as Regiment 140 commander Han³³²⁷ all implemented these instructions by organising and chairing forced marriage ceremonies, with Nhan playing a very active role. Mak Chhoeun stated that he was ordered to get married and that **Meas Muth** presided over weddings at the Division level.³³²⁸

ARRANGEMENT AND NOTIFICATION

a) Organisation

826. Weddings were organised in the Kampong Som Sector on a regular basis from late 1975³³²⁹ until the very end of the regime,³³³⁰ both for military and civilians.³³³¹ A large number of mass marriages were organised in Kampong Som, during which multiple couples were wed at the same time.³³³² Sometimes there were so many couples that people married someone other than their intended partner because of confused identities or, after the wedding, identified the wrong person as their spouse.³³³³
827. At the end of the regime, nearly all of the female soldiers of Battalion 167 (medics or workers from the transportation unit) had been married,³³³⁴ except for a handful who managed to evade such fate.³³³⁵ The large majority of the female soldiers who married did not choose their husbands but did not dare to refuse what the upper echelon had decided for them.³³³⁶ As the number of female soldiers available was not enough to satisfy the “disgruntled soldiers”, female civilians were also picked to become soldiers’ spouses.³³³⁷ Among the latter, a few had been previously engaged to Division 3 soldiers in their area of origin and were brought to Kampong Som in order to marry.³³³⁸ However, as in other parts of DK, the majority of the couples did not know each other at all or had barely seen their future spouse before the ceremony, as *Angkar* had decided who would marry whom.³³³⁹ Still, they had no choice but to accept to marry the person imposed by *Angkar*.³³⁴⁰
828. Mirroring patterns that were playing out across the country,³³⁴¹ many couples who were forcibly married in the area under **Meas Muth**’s control received little to no advance notice of their impending nuptials, sometimes not finding out about the marriage until the ceremony itself.³³⁴² Meas Saran did not know about the marriage arrangement in advance when she was invited to join a meeting at the Kampong Som Cinema in late 1975 or early 1976 with 70 other couples and was then married to a man she had never met before.³³⁴³ Others also called to work or to join a meeting or study session were then forcibly married.³³⁴⁴ Some women were forced to marry disabled soldiers they had never seen before.³³⁴⁵
829. Sometimes male soldiers were granted the privilege of seeking permission from the upper echelon to marry a specific woman.³³⁴⁶ In a society where any physical contact between

unmarried men and women was strictly prohibited and punished,³³⁴⁷ these proposals were typically made on the basis of biography or physical appearance only, as the soldiers did not have the opportunity to get to know the person they chose.³³⁴⁸

830. For all matches — from those sought after by one or both partners, to the others that were the choice of neither partner — cadres, including high-level cadres, were required to seek authorisation from the upper echelons.³³⁴⁹ Authorities from all echelons took part in arranging marriages, including unit chairpersons and cooperative chairpersons,³³⁵⁰ as well as battalion, regiment, and division commanders.³³⁵¹
831. A request to marry had to be accompanied by the male's biography, which would be reviewed by the upper echelons.³³⁵² Before organising the wedding, the male's superior contacted the unit chief supervising the requested woman.³³⁵³ In all cases, any request or proposal to marry a woman had to first be accepted, as the final decision belonged to the Division 164 leadership.³³⁵⁴ Some specific proposals were denied and *Angkar* required the person to marry someone else.³³⁵⁵

b) Ceremony

832. Witnesses from Kampong Som Sector recounted the drastic differences between weddings prior to and during the DK regime, including the elimination of spiritual and cultural rituals and lack of family involvement.³³⁵⁶ Only the brides and grooms and the authorities representing *Angkar* were present at the ceremony.³³⁵⁷
833. The weddings were structured similarly to those occurring throughout the rest of the country.³³⁵⁸ First, men and women were typically seated in separate rows and notified of whom they would be marrying through the announcement of their names.³³⁵⁹ Couples were then instructed to hold hands and make vows, which encompassed promises to work hard for *Angkar* and to commit to their new spouse.³³⁶⁰ To save time, those presiding over mass weddings designated representatives to make vows on behalf of all couples.³³⁶¹ The wedding ceremonies were no more significant or personal to the brides and grooms than “a meeting”.³³⁶²
834. The locations where these weddings took place are significant, as the Division 164 headquarters (M-164, or “Ta Muth’s house”) and logistics office of Nhan were used,³³⁶³ as

well as the two largest Division 164 meeting places (the cinema hall near Phsar Leu and the Regiment 140 training facility in Ochheuteal).³³⁶⁴ This establishes the participation and knowledge of the division leadership in those events and the official and exemplary character of those ceremonies. Other ceremonies were held in a house in Stung Hav, where Nav Sokhan alias Ken was forcibly married to one high-ranking cadre of Division 164,³³⁶⁵ at Toek Sap;³³⁶⁶ or in buildings close to cooperatives.³³⁶⁷

c) Lack of Consent

835. Like thousands of other victims across the country,³³⁶⁸ the men and women forced to marry in Kampong Som did not genuinely consent to their marriages.³³⁶⁹ Even in cases where individuals were not expressly threatened, the general atmosphere of terror made many believe that they would be punished, beaten, arrested, or killed for disrespecting the military orders or the Party if they refused.³³⁷⁰ They therefore had no choice but to accept the marriage.³³⁷¹ Because *Angkar*'s decision was supposed to be infallible, it had to be absolutely respected (and similarly, divorces were prohibited).³³⁷² As Sam Vuthy, a mobile unit worker, explained, "their plan was that we had to get married that evening whether we agreed or disagreed".³³⁷³
836. Widespread fears regarding the consequences of refusal were not unfounded, as some who protested incurred threats or punishments.³³⁷⁴ Tae Ry was sent for re-education and guns were pointed at her.³³⁷⁵ She was brought to a quiet location and "the unit chief told the two soldiers that they could do whatever they wanted to me because I did not follow his order. They beat me until dawn and then they ordered me to work".³³⁷⁶ One week later, the wedding was organised after she was threatened that she would not be allowed to see her mother again if she continued to refuse to marry.³³⁷⁷
837. Even when Division 164 male soldiers were authorised (or forced) to petition their immediate superiors for permission to marry specific women, their choice was often restricted to a small group of females. Some women were brought out to the islands to be shown to soldiers stationed there.³³⁷⁸ Witness Koem Men, one of the Battalion 623 commanders, said that he asked his soldiers "whether they liked those women or not",³³⁷⁹ before they made their requests. Like other high-ranking cadres who had the responsibility to match couples, Koem Men claimed that those women and men *freely agreed* to be

married.³³⁸⁰ However, Meas Saran, a woman forcibly married, explained, “No one dared to refuse because we were afraid they would not let us stay alive”.³³⁸¹ Koem Men himself admitted that there were some forms of pressure exercised on the brides and grooms to accept the decision made by *Angkar*.³³⁸² He also stated that he himself met his future wife only once and actually “did not know her before the wedding” arranged by Ta Nhan.³³⁸³

838. Participants in the ceremonies typically included both those who were forced to marry as well as others who “accepted” the situation or even married “voluntarily”.³³⁸⁴ People who dared to refuse to marry believed they could be killed for disobedience. However, one group of female soldiers managed to successfully resist forced marriage thanks to the solidarity of its members. An entire female unit refused to be married to Division 164 soldiers in Stung Hav because their parents were not involved in the process. This group of former Kampot (Srae Ambel) salt field workers claimed that they would rather die than be forcibly married. As the soldiers plotted to abduct or drug the women (one of them was found dead), they locked themselves in a house. Three days later, Ta Mok sent them back to the Southwest Zone.³³⁸⁵

d) Forced Consummation (Rape)

839. The CPK policy of forcing victims of forced marriage to consummate their marriages without their free consent (rape) in order to increase the population was thoroughly implemented by **Meas Muth** and his forces in Kampong Som. Officials in charge of weddings ordered newlyweds to “get to know each other”, “sleep together” or “fulfil our vows”,³³⁸⁶ obvious euphemisms for consummating the marriage.
840. Witnesses were ordered to live together for a few days and nights in a place especially dedicated for their use.³³⁸⁷ The couples were expected to use the time to consummate their marriages whether they wanted to or not.³³⁸⁸ Although there were barely any commune militiamen in the Kampong Som area as opposed to other independent sectors or zones, witnesses still recall that newlyweds were monitored in order to verify that they were consummating the marriage, as planned by *Angkar*.³³⁸⁹
841. **Meas Muth**’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, arrested, or killed for “opposing *Angkar*” if they did not have sex.³³⁹⁰

In some cases, authorities “re-educated” or used explicit threats to coerce newlyweds into consummating their marriages, particularly when male soldiers reported the refusal of their spouse to have sexual intercourse.³³⁹¹ Most of the women then consummated the marriage out of fear of further punishment.³³⁹²

842. The men and women who were victims of the CPK forced marriage policy in Kampong Som were often also victims of rape, as they were coerced to have sexual relations without their free consent.

e) *Physical and Mental Trauma Suffered by the Victims in Kampong Som Sector*

843. The victims of forced marriage and of forced consummation (rape) in Kampong Som Sector were affected by multiple forms of trauma. Several reported experiencing physical distress when they realised they were being forced to marry someone they did not know or love and when they had to have sexual intercourse with him/her.³³⁹³ Some still have trouble accepting today that they were forcibly married in Kampong Som and have even tried to conceal it.³³⁹⁴ Many forcibly married couples separated or divorced after 1979.³³⁹⁵

5. CONCLUSION

844. The victims of the CPK’s forced marriage and forced consummation policies paid a high price for the regime to pursue its revolutionary goals. Many are still paying that price some 40 years later. Forced marriage and rapes committed (through the forced consummation of these marriages) by DK officials, including **Meas Muth** and his subordinates in Kampong Som independent sector, were widespread, systematic, and of a gravity equal to other enumerated crimes against humanity.

I. PURGE OF DIVISION 117 AND SECTOR 505³³⁹⁶

1. INTRODUCTION

845. **Meas Muth** was assigned to take charge of Division 117 and Sector 505 in Kratie Province in late November 1978, adding both the Sector and the Division to his increasing authority base. By this time, **Meas Muth** had already been promoted to Deputy Secretary of the General Staff and still retained his role as Secretary of Division 164. He first implemented the Party Centre’s decision to decapitate the previous Division and Sector leadership,

organising the transportation of senior Division 117 and Sector 505 cadres to Phnom Penh, where they were arrested and incarcerated in S-21. **Meas Muth** then replaced those purged cadres, appointing his own Division 164 regiment commanders as secretaries of both Division 117 and Sector 505, and placing cadres from the Southwest Zone into other high-ranking positions under their control. As a mark of Division 164's dominance, **Meas Muth** also stationed Division 164 troops in Sector 505 to oversee the border fighting.

846. Once **Meas Muth**'s complete authority over the Division and Sector had been established, his forces continued to purge the lower ranks, including Sector 505 commune chiefs, civilians and lower-ranked Division 117 soldiers throughout December 1978. **Meas Muth** personally ordered the immediate execution of at least one Sector 505 official. The purge was only halted by the Vietnamese invasion at the very end of 1978 which caused the Khmer Rouge control of Kratie to collapse.
847. This purge represented one of the CPK leadership's final desperate and self-destructive attempts to cleanse its ranks of those suspected of political disloyalty towards the Pol Pot regime. Following a series of defeats at the hands of the Vietnamese army in late 1978, the CPK leadership once again perceived treachery, assuming the Division 117 and Sector 505 cadres to be guilty of collusion or affiliation with Vietnam, the so-called "Yuon territory-swallowers".³³⁹⁷ Like previous purges in Kratie and the East Zone, the majority of the victims it alleged were conspiring with foreigners to overthrow the regime were the very individuals fighting to defend the DK border against Vietnamese advances.
848. The CPK leaders,³³⁹⁸ including General Staff and RAK Division commanders,³³⁹⁹ and **Meas Muth**,³⁴⁰⁰ shared the long-standing goal of the joint criminal plan to purge (arrest, detain and usually execute without any legal process) cadres suspected of such political disloyalty. By the time he was assigned to Kratie, **Meas Muth**'s devotion to the leadership's criminal policies and his own previous contribution to this plan in Kampong Som had earned him the respect and trust of Pol Pot and the highest CPK leaders.
849. **Meas Muth** is also responsible, as the ultimate commander of the Division 117 and Sector 505 military, for the transfer of six purported Vietnamese "spies" to S-21 on 27 December 1978, pursuant to the Khmer Rouge's nationwide genocidal campaign against the Vietnamese.³⁴⁰¹ **Meas Muth** implemented the genocide enthusiastically, and worked to

destroy the Vietnamese group in Kratie as he did for those Vietnamese captured in Cambodia's seas and on its islands.³⁴⁰²

2. AUTHORITY STRUCTURE

SECTOR 505 (KRATIE PROVINCE)

850. Located in the north-east of Cambodia,³⁴⁰³ Kratie occupied a strategically important border with Vietnam during the DK period. Although initially part of the Northeast Zone, in late 1976 or early 1977 much of Kratie Province became Autonomous Sector 505.³⁴⁰⁴ Sector 505 consisted of three districts: Kratie, Snuol and Sambor.³⁴⁰⁵ While Chhlaung District was part of Kratie Province prior to Khmer Rouge control of the area, and is so today, when Sector 505 was formed it had been ceded to the East Zone.³⁴⁰⁶ It was only in late 1978 after the East Zone purge that Chhlaung District was reintegrated into Sector 505.³⁴⁰⁷
851. In accordance with the CPK's strong hierarchical structure and organisational discipline,³⁴⁰⁸ Sector 505, like the zones and other autonomous sectors,³⁴⁰⁹ reported directly to the Party Centre,³⁴¹⁰ including General Staff Secretary Son Sen.³⁴¹¹ The Sector leadership reported "on various situations on a monthly basis," including "enemy situations [...] and general people situations," as well as the sector military's operations.³⁴¹² They also had monthly meetings with the Party Centre in Phnom Penh.³⁴¹³ In turn, the Sector received instructions from Office 870,³⁴¹⁴ including summonses to cadres to attend meetings in Phnom Penh.³⁴¹⁵
852. Within Sector 505, the sector committee, as the highest operational organisation,³⁴¹⁶ was charged with controlling both the population as a whole and the district and commune organisations that were subordinate to it.³⁴¹⁷ It administered discipline,³⁴¹⁸ and was responsible for the sector military.³⁴¹⁹ In autonomous sectors like Sector 505, the sector secretary played a key role in coordinating with the Centre leadership and identifying individuals to be arrested and sent to S-21.³⁴²⁰
853. At the next level, the district committees reported directly to the sector committee and in turn received orders from them.³⁴²¹ Similarly, multiple commune chiefs reported to and took orders from the district committees.³⁴²² District secretaries also had other subordinates, such as district security and military chiefs,³⁴²³ who were often responsible

for carrying out orders related to arrests and killings³⁴²⁴ and overseeing security centres.³⁴²⁵ Where arrests were carried out by cooperative chiefs, they first met district officials to receive guidance.³⁴²⁶ All these individuals are subordinates of the sector secretary and his superior.

854. Kratie's proximity to Vietnam, the escalating armed conflict between DK and its neighbour,³⁴²⁷ and the CPK leadership's growing paranoid belief that "internal enemies" were colluding with the Vietnamese to overthrow the regime,³⁴²⁸ led the Centre to purge the Sector 505 leadership several times. After the first Sector Secretary, Ta Yem alias Sun, was transferred to Pyongyang in 1976,³⁴²⁹ Born Nan alias Yi succeeded him as Sector 505 Secretary.³⁴³⁰ Yi oversaw purges in 1977, which included sending Sector 505 Deputy Secretary Ban Saroeun alias Kang along with other high-ranking Sector 505 officials to S-21.³⁴³¹ Less than a year later, Yi himself was then arrested, along with his deputy and sector military chief, Kuon,³⁴³² as part of a massive purge in late March and early April 1978.³⁴³³ Several district committee members, worksite and hospital chiefs were taken to S-21.³⁴³⁴ Fifty-one lower-ranking Sector 505 cadres entered S-21 over a two-day period from 30 March to 1 April 1978.³⁴³⁵ After completing this purge, the Party Centre congratulated itself in *Revolutionary Flag* for the massacre.³⁴³⁶
855. Importantly, this 1978 purge marked the consolidation of the RAK's control of Sector 505,³⁴³⁷ under Meas Moeun,³⁴³⁸ the newly installed Sector Secretary, and his deputy, Khon.³⁴³⁹ Cadres from Centre military divisions, including Division 117 itself, were drafted in to fill vacancies in the Sector 505 leadership. Sector Secretary Meas Moeun, Kratie District Secretary Huon Yeng,³⁴⁴⁰ Snuol District Secretary Chhum Chin alias Phoen³⁴⁴¹ and Sam Voeun, Sambour District Secretary³⁴⁴² were all RAK military cadres appointed to fill these formerly civilian positions.³⁴⁴³

DIVISION 117

856. In 1977, in response to the demand for an increased military presence at the Vietnamese border, Division 117 was created at Longveaek, Kampong Chhnang, as a branch of West Zone Division 1.³⁴⁴⁴ Shortly after its creation, this new division moved to Kratie Province (Sector 505), was placed under the command of the Centre, and began reporting to the General Staff.³⁴⁴⁵ Any orders emanating from Office 870 would be sent to the division

through the General Staff.³⁴⁴⁶ Division 117 was headquartered in Snuol District,³⁴⁴⁷ close to the Vietnamese border, with a second office located near Kratie town.³⁴⁴⁸

857. By the time Division 117 moved to Kratie, Khun Rum (Khun Rom or Khun Sarom) had been appointed commander, with Roath Leang as his deputy.³⁴⁴⁹ Svay Naunh was the Division 117 Office Chairman,³⁴⁵⁰ while Witness Moeng Vet was deputy chief of the Kratie town office.³⁴⁵¹ Division 117 was composed of three regiments, designated Regiments 15, 16 and 17,³⁴⁵² which each comprised three battalions, numbered 120 through 128.³⁴⁵³ Regiment 15 was commanded by Phan,³⁴⁵⁴ Regiment 16 by Nim,³⁴⁵⁵ and Regiment 17 by Chhut.³⁴⁵⁶ From its foundation, and particularly as casualties increased, Division 117 was a melting pot for soldiers from many Centre and regional military divisions.³⁴⁵⁷
858. In collaboration with Sector 505 military units,³⁴⁵⁸ Division 117 defended the DK-Vietnamese border in Kratie.³⁴⁵⁹ During 1977 and 1978 there was frequent fighting in the sector, with DK and Vietnamese forces making regular incursions into each other's territory.³⁴⁶⁰ DK forces routinely captured³⁴⁶¹ and killed³⁴⁶² Vietnamese nationals. Captured Vietnamese nationals, often declared by the CPK to have been engaged in espionage,³⁴⁶³ were transferred from Kratie to Phnom Penh, where they were interrogated in S-21³⁴⁶⁴ and their confessions broadcast over Khmer radio.³⁴⁶⁵

3. PURGE, REPLACE, CONTROL

859. By October 1978, **Meas Muth** had assumed his position as one of Son Sen's deputies on the General Staff.³⁴⁶⁶ He commanded Division 117 forces, receiving reports and issuing orders to troops engaged in fighting along the Vietnamese border.³⁴⁶⁷ Around this time, the border conflict between the DK and Vietnam began to intensify and Vietnamese forces made significant incursions into Cambodian territory.³⁴⁶⁸ DK forces could not successfully resist the attack of the militarily superior³⁴⁶⁹ Vietnamese and began to retreat.³⁴⁷⁰ At the same time, Vorn Vet was implicating the most senior Division 117 and Sector 505 leaders under torture at S-21.³⁴⁷¹ As a result, the Centre yet again suspected the region's leadership of treachery.³⁴⁷²
860. In response, around late November 1978, **Meas Muth** went to Kratie³⁴⁷³ on behalf of the Party Centre³⁴⁷⁴ to coordinate the transfer of almost all of the highest-ranking cadres from

Division 117 and Sector 505 to Phnom Penh,³⁴⁷⁵ where they were detained at S-21. These men were taken away by aeroplane³⁴⁷⁶ on the common pretext of attending work or study meetings.³⁴⁷⁷ The evidence suggests that they were transported in small groups over the course of around two weeks, filling spare seats on aircraft used to transport wounded soldiers for treatment in Phnom Penh.³⁴⁷⁸ The replacement Sector 505 Office Chief, Seng Soeun, provided an eyewitness account of **Meas Muth** being present as two of the purged cadres boarded an aircraft bound for Phnom Penh.³⁴⁷⁹ As he explained, **Meas Muth** was there to “organize and call those they wanted to board the plane”.³⁴⁸⁰

861. Specifically, **Meas Muth** ensured the transfer to Phnom Penh of at least the following senior cadres, who were subsequently detained and executed at S-21:

- (a) Sector 505 Secretary Meas Moeun³⁴⁸¹ and Deputy Secretary Chhim Khon;³⁴⁸²
- (b) Snuol District Secretary Chhum Chin (or Chen) alias Phoan, and Kratie District Secretary Huon Yeng;³⁴⁸³
- (c) Division 117 Secretary Khun Rum,³⁴⁸⁴ Deputy Secretary Roath Leang,³⁴⁸⁵ and Division Office Chief Svay Naunh,³⁴⁸⁶ and
- (d) Three Regiment commanders from Division 117: Regiment 15 Secretary Kel Sophan alias Phan,³⁴⁸⁷ Regiment 81 Secretary Chap Hoeun, and Regiment 82 Secretary By Ry (or Vy).³⁴⁸⁸

862. Given that both Division 117 and Sector 505 forces were defending the Vietnamese border,³⁴⁸⁹ and the military background of the senior Sector 505 cadres,³⁴⁹⁰ it is no surprise that the purge of both occurred at the same time and followed the same pattern. As the most striking example, the two top leaders, Sector 505 Secretary Meas Moeun and Division 117 Secretary Khun Rum boarded the same plane to Phnom Penh, and entered S-21 together on 8 December 1978.³⁴⁹¹ The purge of these two individuals is noteworthy for the further reason that Meas Moeun was **Meas Muth**’s cousin, and Khun Rum was **Meas Muth**’s nephew.³⁴⁹² Such was **Meas Muth**’s loyalty to the Party and his commitment to the policy to cleanse it of internal enemies, that he was willing to purge and send his own relatives to S-21.

863. **Meas Muth**'s involvement in Kratie was not confined to overseeing the purge of its elite cadres. Rather "[t]hey had Meas Muth come to organise both the military and civilian side in Kratie Sector",³⁴⁹³ a euphemistic account of **Meas Muth** and Division 164's takeover of Division 117 and Sector 505.³⁴⁹⁴ **Meas Muth** knew that the old cadres would not return from Phnom Penh, so as the purge was implemented, he convened a meeting of the remaining Division 117 and Sector 505 cadres, at which he announced that the former leaders had been "traitors",³⁴⁹⁵ who were "not resolute in fighting the Vietnamese" army,³⁴⁹⁶ and confirmed their replacements.³⁴⁹⁷
864. **Meas Muth** filled the two most important positions with his own regiment commanders from Division 164: Regiment 61 Commander Pheap (full name Kong or Sok Pheap)³⁴⁹⁸ replaced Meas Moeun as Sector 505 Secretary,³⁴⁹⁹ and former Regiment 63 Commander and Division 164 Committee Member Kim Nhan³⁵⁰⁰ was assigned to take over as the new Secretary of Division 117.³⁵⁰¹ **Meas Muth** also deployed a considerable number of Division 164 troops to control the other forces in Kratie.³⁵⁰² Indeed, Division 164's control could not have been felt more acutely than when they began to shoot and kill DK forces retreating from the attacking Vietnamese,³⁵⁰³ in accordance with Centre policy.³⁵⁰⁴
865. Around five Southwest Zone cadres were also flown in to fill senior positions left by purged cadres,³⁵⁰⁵ with Phon alias Ti appointed the new Deputy 505 Secretary,³⁵⁰⁶ and Leng Pak replacing Yeng as Kratie District Secretary.³⁵⁰⁷ San became the army chief of Kratie District³⁵⁰⁸ and Khon took responsibility for agriculture.³⁵⁰⁹ Witness Seng Soeun was put in charge of the sector office.³⁵¹⁰ Each of these new appointees reported upon their arrival to **Meas Muth**,³⁵¹¹ who assigned them their new appointments.³⁵¹²
866. From this point onwards, **Meas Muth** maintained a physical presence in Kratie, enjoying a close relationship with the Sector elite.³⁵¹³ At the same time, he continued his General Staff duties in Phnom Penh,³⁵¹⁴ and commanded Division 164 in Kampong Som.³⁵¹⁵ In addition to his own Division 164 personnel, he remained in command and control of both Sector 505 officials and Division 117 commanders,³⁵¹⁶ as evidenced by the orders he issued.³⁵¹⁷ As Seng Soeun explained, "[t]he Sector military and the divisions were in the hands of Muth".³⁵¹⁸

4. THE PURGE CONTINUES

867. Throughout December 1978, **Meas Muth** and his subordinates continued the purge, arresting lower-level cadres and civilians, some of whom were called away and simply “disappeared forever”.³⁵¹⁹ **Meas Muth** personally ordered the killing of the Sector military cadre,³⁵²⁰ Mao Oeung,³⁵²¹ telling Seng Soeun that “he had already solved the matter”.³⁵²² Witness Em Sarin, Sector 505 Office Secretary,³⁵²³ was sent to Phnom Penh with Division 117 Deputy Regiment Commander Pheng,³⁵²⁴ under orders from the new Sector 505 Deputy Secretary, Ti.³⁵²⁵ There he was detained for three days near Pochentong Market by Division 502.³⁵²⁶
868. Twenty-two (22) Sector 505 cadres, including commune and cooperative chiefs, and Sector 505 civilians – likely villagers fleeing from advancing Vietnamese troops³⁵²⁷ – were transferred to Phnom Penh and entered S-21 together on 27 December 1978. They were executed four days later, on 31 December 1978.³⁵²⁸ Other Division 117 and Sector 505 cadres and civilians were sent to local security centres in Kratie Province,³⁵²⁹ including Kok Kduoch Security Centre in Sambour District,³⁵³⁰ while more fled, fearing arrest.³⁵³¹
869. In addition, six purported Vietnamese “spies” were sent from Kratie on 27 December 1978,³⁵³² coinciding with a massive Vietnamese military incursion into Kratie.³⁵³³

5. CRIMES

IMPRISONMENT

870. As described above, in late November and throughout December 1978, many Division 117 and Sector 505 officials as well as Sector 505 civilians and purported Vietnamese “spies” were arrested, and either imprisoned at S-21, near Pochentong Market in Phnom Penh, or within security centres located in Kratie Province, including Kok Kduoch security centre.
871. The arrest and detention of Division 117 and Sector 505 cadres, civilians and Vietnamese “spies” took place without any legal process and was therefore arbitrary. DK authorities did not establish courts, criminal codes, or legal processes.³⁵³⁴ As a result, there was no judicial authorisation for, or review of, the arrests and detention. Detainees were not informed of the charges against them. Instead, many of the Khmer Rouge cadres were detained under the pretence that they were being sent away to study or work. None of the detainees was

entitled to challenge his or her arrest and imprisonment through any judicial mechanism, or offered any kind of trial.

872. In the majority of cases, the regime's "suspicions" about the arrested individuals resulted only from the confessions obtained through torture of those who had gone through S-21 and other DK security centres before them.³⁵³⁵ The fact that Division 117 and Sector 505 cadres were implicated in S-21 interrogations by detainees like Vorn Vet,³⁵³⁶ or other cadres, is patently unreliable and fails to provide any justification for subsequent arrests, detentions or executions. As the CPK leadership knew,³⁵³⁷ confessions extracted in these circumstances are inherently unreliable. In any event, it is clear that the decision as to which high-level cadres to arrest had already been made when **Meas Muth** went to Kratie.
873. As discussed further in *VIII.D. S-21 Security Centre*,³⁵³⁸ once at S-21, all prisoners were deprived of their liberty in the most inhumane fashion. They were brought into the inescapable facility handcuffed and blindfolded, and remained permanently shackled except when taken out for interrogation or execution. Similarly, prisoners at Kok Kduoch Security Centre were handcuffed and shackled to others on arrival, with serious level prisoners permanently shackled and handcuffed throughout their detention.³⁵³⁹ Em Sarin also described his detention by Division 502 at Pochentong Market under guard.³⁵⁴⁰

Murder, Extermination, and Enforced Disappearances

874. In addition to the unlawful killing of Mao Oeung in Kratie, which **Meas Muth** himself ordered,³⁵⁴¹ at least 32 Division 117 and Sector 505 officials, civilians and six alleged Vietnamese "spies" were ultimately unlawfully executed in S-21. The circumstances of the deaths at S-21 are discussed further in *VIII.D. S-21 Security Centre*.
875. In a regime often referred to as the "regime of secrecy",³⁵⁴² little or no information was given about individuals who had been arrested. As far as those left behind were concerned, these people had simply "disappeared".³⁵⁴³ There was no court or other system to complain of disappearances.³⁵⁴⁴

Persecution on Political Grounds

876. Moeng Vet described a meeting at which **Meas Muth** characterised the purged Division 117 and Sector 505 cadres as “traitors” to the DK regime, because they were distrusted after they retreated from the border during Vietnamese attacks.³⁵⁴⁵ Seng Soeun similarly testified to being told that the previous cadres in Kratie had been arrested for “being part of the traitorous network”.³⁵⁴⁶ Former Division 117 soldier Cheang Chuo spoke of alleged “collaborat[ion] with the Yuon”.³⁵⁴⁷ Other witnesses, including relatives of the purged cadres, attributed the allegations of treachery levied against the purged cadres to their failure to successfully repel the Vietnamese incursions.³⁵⁴⁸ Division 117 and Sector 505 cadres were targeted because they were considered by the CPK leaders, including **Meas Muth**, to be “traitors” or “internal enemies” who were a threat to the CPK leadership and perceived to be affiliated with an enemy state, Vietnam, and opposed to CPK rule.
877. Vietnamese “spies” arrested in Kratie and sent to S-21 were targeted by **Meas Muth** and his subordinates on the basis of their classification by the CPK as enemies of the DK regime. As announced in a 1976 meeting of Central Division and Independent Regiment Commanders:

In our status as an army, we must know the subjects that we must attack, namely American imperialism, and the Vietnam revisionists and their traitorous henchmen.³⁵⁴⁹

IX. LAW

A. CRIMES

878. **Meas Muth** is charged with crimes set out under articles 4, 5, and 6 of the ECCC Law, which confer jurisdiction on the ECCC over genocide, crimes against humanity (“CAH”), and grave breaches of the Geneva Conventions 1949 (“GC” or “GCs”), respectively. The commission of any of these crimes may occur through act or omission³⁵⁵⁰ and is not limited to direct physical perpetration.³⁵⁵¹

1. GENOCIDE

879. 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 commission³⁵⁵² of at least one of the listed categories of acts of genocide (detailed below).³⁵⁵³ 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”.³⁵⁵⁴

THE PROTECTED GROUP

880. Consistent with the Genocide Convention, the ECCC Law prescribes four categories of protected group: national, ethnical,³⁵⁵⁵ 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.³⁵⁵⁶ Where more than one group is targeted, the elements of genocide must be considered in relation to each group separately.³⁵⁵⁷

881. 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.³⁵⁵⁸ In its Resolution 96(I), the UN General Assembly defined genocide as “a denial of the right of existence of entire *human groups*”.³⁵⁵⁹ This was followed by the UN Secretariat (1948),³⁵⁶⁰ and the ICJ (1951),³⁵⁶¹ and was later reconfirmed by the ICJ,³⁵⁶² ICTY,³⁵⁶³ and ICTR.³⁵⁶⁴ 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.³⁵⁶⁵

882. 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,³⁵⁶⁶ ICTR,³⁵⁶⁷ and Darfur Commission³⁵⁶⁸ 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.

883. The determination of what constitutes a protected group in any given case is conducted on the basis of both objective and subjective criteria.³⁵⁶⁹ The objective criteria include the relevant political, social, historical, and cultural context.³⁵⁷⁰ 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,³⁵⁷¹ including by the use of derogatory epithets.³⁵⁷² In some instances, the victim may perceive himself to belong to the group.³⁵⁷³ 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.³⁵⁷⁴

884. 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."³⁵⁷⁵ 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.³⁵⁷⁶ 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".³⁵⁷⁷

885. 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.³⁵⁷⁸ The finding that the Bosnian Muslims constituted a “protected group” was then followed without further analysis in *Blagojević*,³⁵⁷⁹ *Brđanin*,³⁵⁸⁰ *Popović*,³⁵⁸¹ *Karadžić*,³⁵⁸² and *Tolimir*.³⁵⁸³ 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.³⁵⁸⁴ 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.³⁵⁸⁵
886. An *ethnic* group has been characterised as one “whose members share a common language or culture.”³⁵⁸⁶ 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).³⁵⁸⁷ In the *Al Bashir* case, the ICC has found the Fur, Masalit, and Zaghawa 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.³⁵⁸⁸
887. 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.”³⁵⁸⁹ 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.³⁵⁹⁰ 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”.³⁵⁹¹

888. A **religious** group is “one whose members share the same religion, denomination or mode of worship.”³⁵⁹² The recent Syria Commission Report classified the Yazidis as a religious group, based on both objective and subjective criteria.³⁵⁹³

ACTUS REUS

889. 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 is relevant to the **Meas Muth** case, the Co-Prosecutor confines his analysis accordingly.

Killing Members of the Group

890. The material elements of killing as an act of genocide are the same as those for murder as a CAH.³⁵⁹⁴ Numeric assessment of the number of people killed is not required for the *actus reus* to be established.³⁵⁹⁵ The victim must have belonged to a protected group,³⁵⁹⁶ or the perpetrator of the crime believed that he did.³⁵⁹⁷ Killing in the context of genocide does not need to have been premeditated.³⁵⁹⁸

MENS REA

a) Intent to Destroy the Group “As Such”

891. It is the intent “to destroy, in whole or in part, a [protected group] as such”³⁵⁹⁹ that distinguishes genocide from other crimes.³⁶⁰⁰ As set out above,³⁶⁰¹ 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.³⁶⁰²

892. 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*",³⁶⁰³ 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,³⁶⁰⁴ 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."³⁶⁰⁵ 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.³⁶⁰⁶ 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.³⁶⁰⁷

893. 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.³⁶⁰⁸ 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."³⁶⁰⁹ 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.

894. Some international jurisprudence has found that the intended “destruction” of a group must be “physical or biological”.³⁶¹⁰ 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.³⁶¹¹ 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 [...].³⁶¹²

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.³⁶¹³

895. 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.³⁶¹⁴ Where the children are transferred without physical harm, and even where they are provided a higher standard of material life in the new group,³⁶¹⁵ transferring children is an effective method to destroy the group characteristics “binding together a collection of people as a social unit.”³⁶¹⁶ 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.”³⁶¹⁷ 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.”³⁶¹⁸ 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.

896. 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.³⁶¹⁹

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.

897. 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.”³⁶²⁰ Indeed, before 1975, some States had listed the forced transfer of adults, in addition to children, as genocidal acts.³⁶²¹

898. 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.”³⁶²² 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.
899. Additionally, non-listed acts may be considered evidence confirming the intent to destroy the group.³⁶²³ 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”.³⁶²⁴ 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.”³⁶²⁵
900. 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.”³⁶²⁶

b) In Whole or in Part

901. 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.³⁶²⁷
902. 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.³⁶²⁸ Numbers alone are “not in all cases the ending point of the inquiry”.³⁶²⁹ 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.³⁶³⁰ These criteria are not exhaustive.³⁶³¹ The part must be significant enough that its destruction will have an impact on, or threaten, the survival of the group as a whole.³⁶³² This requirement may be established where, for example, the leadership of a group is targeted for destruction.³⁶³³
903. 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.³⁶³⁴ 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.³⁶³⁵ The applicability of these factors and their relative weight will vary depending on the circumstances of a particular case.³⁶³⁶

c) Establishing Intent

904. 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.³⁶³⁷ Such facts need not form part of the *actus reus* of the crime.³⁶³⁸
905. 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;³⁶³⁹ speeches or projects laying the groundwork for and justifying the acts aimed at undermining the foundation of the targeted group;³⁶⁴⁰ and the political doctrine which gave rise to the acts referred to.³⁶⁴¹ 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.³⁶⁴²

906. The crime of genocide does not require the existence of a policy or plan,³⁶⁴³ although the existence of either may facilitate proof of intent and of the crime itself.³⁶⁴⁴ 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.³⁶⁴⁵ 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.³⁶⁴⁶
907. 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.³⁶⁴⁷ 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.³⁶⁴⁸ There is no requirement that the perpetrator chose the most efficient method to accomplish the objective of destroying the targeted group or part thereof.³⁶⁴⁹

d) Applicable Modes of Responsibility

908. 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".
909. 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.

910. The term “participation” is not a term of art; its ordinary meaning is “the act of taking part in something, such as [...] a crime”.³⁶⁵⁰ “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.³⁶⁵¹ 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.”³⁶⁵² Under the same provision, an accused may be responsible as a superior for genocide.³⁶⁵³
911. 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”.³⁶⁵⁴
912. Accordingly, **Meas Muth** may be responsible for genocide under all the modes of criminal participation listed in article 29^{new}.³⁶⁵⁵ 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,³⁶⁵⁶ and responsibility for participation in a JCE is a form of responsibility relevant to genocide.³⁶⁵⁷ Indeed, a number of ICTY and ICTR defendants have been convicted of genocide pursuant to the basic form, JCE I.³⁶⁵⁸

2. CRIMES AGAINST HUMANITY

913. 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.³⁶⁵⁹ 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

914. 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.”³⁶⁶⁰ Under CIL in 1975, the definition of CAH did not require a nexus to an armed conflict, war crimes, or crimes against peace.³⁶⁶¹ The individual components of the *chapeau* requirement are addressed in turn below.

Attack

915. 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.³⁶⁶² The acts which constitute an attack need not themselves be punishable as CAH, and are not limited to the use of armed force.³⁶⁶³ 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.³⁶⁶⁴

Widespread or Systematic

916. The attack must be widespread *or* systematic; either is sufficient.³⁶⁶⁵ The term “widespread” refers to “the large-scale nature of the attack and the number of victims”³⁶⁶⁶ 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.”³⁶⁶⁷ 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.”³⁶⁶⁸ Systematicity may be established by evidence of a “non-accidental repetition of similar criminal conduct.”³⁶⁶⁹

Directed Against any Civilian Population

917. 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.³⁶⁷⁰

918. 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.³⁶⁷¹ 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.”³⁶⁷² 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*.³⁶⁷³ 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.³⁶⁷⁴
919. CAH may include a state’s attack on its own population.³⁶⁷⁵ This includes a state or organisation’s *own* armed forces, who qualify as civilians for the purposes of CAH.³⁶⁷⁶ This position accords with the pre-WWII evolution of CAH,³⁶⁷⁷ all post-WWII jurisprudence,³⁶⁷⁸ pre-1975 international instruments dealing with CAH,³⁶⁷⁹ and pre-1975 international human rights norms protecting the same fundamental rights as CAH,³⁶⁸⁰ which apply to all of a State’s subjects, irrespective of their occupation.³⁶⁸¹ 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.

920. 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.³⁶⁸²
921. 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”.³⁶⁸³ Soldiers *hors de combat* can also be victims of CAH.³⁶⁸⁴

Jurisdictional Restriction

922. Article 5 of the ECCC Law requires that the attack against a civilian population be based on national, political, ethnical, racial or religious grounds.³⁶⁸⁵ 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 1979.³⁶⁸⁶ Whilst the broader attack must therefore be committed on one of these grounds, there is no requirement that it be discriminatory.³⁶⁸⁷ Indeed, except in the case of persecution, discriminatory intent is not required by CIL as a legal ingredient for CAH.³⁶⁸⁸

Nexus between Acts of the Perpetrator and the Attack

923. 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;³⁶⁸⁹ 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.³⁶⁹⁰
924. 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.³⁶⁹¹

The acts of the accused persons – even where they are not the direct perpetrators — must form part of the attack.³⁶⁹²

925. As for the second element, knowledge of the details of the attack is not required,³⁶⁹³ it is sufficient that the perpetrator knows of the overall context within which his acts take place.³⁶⁹⁴ The motive of the perpetrator is irrelevant,³⁶⁹⁵ and it is not necessary for the perpetrator to share the purpose or goal behind the attack.³⁶⁹⁶ It is also irrelevant whether the perpetrator intends his acts to be directed against the targeted population or merely against his victim.³⁶⁹⁷

SPECIFIC OFFENCES

Murder

926. Murder was well-established as a CAH under CIL by 1975.³⁶⁹⁸ Moreover, it was foreseeable and accessible to **Meas Muth** that he could be prosecuted for murder as a CAH.³⁶⁹⁹
927. 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.³⁷⁰⁰ The victim's body is not required as evidence to prove death.³⁷⁰¹ 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.³⁷⁰² 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.³⁷⁰³ 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.³⁷⁰⁴ 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".³⁷⁰⁵
928. Execution without legal process or compliance with due process guarantees constitutes murder, not capital punishment.³⁷⁰⁶ The right not to be arbitrarily deprived of one's life

may not be derogated from in any circumstances, including national emergency,³⁷⁰⁷ and life may never be extinguished to effect genocide.³⁷⁰⁸

929. As to *mens rea*, there is no requirement that the killing be premeditated.³⁷⁰⁹ The mental element includes direct intent to kill as well as killing with *dolus eventualis*.³⁷¹⁰

Extermination

930. Extermination was recognised as a CAH by 1975.³⁷¹¹ It was foreseeable and accessible to **Meas Muth** that he could be prosecuted for extermination as a CAH.³⁷¹²

931. The crime of extermination is the act of killing on a large scale.³⁷¹³ 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.³⁷¹⁴ The perpetrator's role may be remote or indirect,³⁷¹⁵ and may include creating conditions of life aimed at destroying part of a population, such as withholding food or medicine.³⁷¹⁶ There is no requirement that the victims "must have been subjected to conditions *inevitably leading to death*".³⁷¹⁷

932. A conviction for extermination requires satisfaction beyond reasonable doubt of the occurrence of mass killings.³⁷¹⁸ 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.³⁷¹⁹ Precise identification, description or designation by name of the victims is not an element of the crime of extermination.³⁷²⁰ 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.³⁷²¹

933. There is no minimum number of victims required to satisfy the requirement that the scale of deaths must be "massive".³⁷²² While extermination as a CAH has been found in relation to the killing of thousands,³⁷²³ it has also been found in relation to fewer killings.³⁷²⁴ 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.³⁷²⁵ The existence of a "vast murderous enterprise" is not an element of extermination.³⁷²⁶

934. The requirement of scale must be assessed on a case-by-case basis taking into account the circumstances in which the killings occurred.³⁷²⁷ Relevant factors include, *inter alia*, the time and place of the killings,³⁷²⁸ the selection of the victims and the manner in which they were targeted,³⁷²⁹ and whether the killings were aimed at the collective group rather than victims in their individual capacity.³⁷³⁰ However, there is no requirement that the group or (part of the) population of people killed share any common characteristics,³⁷³¹ or that the perpetrator intend to destroy a group or part of a group to which the victims belong.³⁷³² The preparation and organisation of the crime may also be considered when determining the *actus reus* of extermination.³⁷³³
935. 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,³⁷³⁴ 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.
936. 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.³⁷³⁵ Knowledge of certain death is not required.³⁷³⁶ Neither intent to kill a certain threshold number of victims,³⁷³⁷ nor knowledge of a “vast murderous enterprise”³⁷³⁸ are elements of extermination.

Enslavement

937. It is undisputed that enslavement was recognised under CIL as a CAH by 1975.³⁷³⁹ Moreover, it was foreseeable and accessible to **Meas Muth** that he could be prosecuted for enslavement as a CAH.³⁷⁴⁰
938. Enslavement is defined as the exercise over a person of any or all powers attaching to the right of ownership.³⁷⁴¹ 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.”³⁷⁴² The elements of enslavement may be satisfied without evidence of additional ill-treatment.³⁷⁴³

939. In examining these indicia, one must above all identify the indicia of “ownership”,³⁷⁴⁴ 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.³⁷⁴⁵ 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.³⁷⁴⁶ 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.³⁷⁴⁷
940. Forced or involuntary labour may also constitute enslavement.³⁷⁴⁸ 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.³⁷⁴⁹ The absence of remuneration is not an element of enslavement, but may constitute a relevant evidentiary factor in determining whether the labour was forced.³⁷⁵⁰
941. 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.³⁷⁵¹ The absence of consent may be presumed where the expression of consent is impossible,³⁷⁵² such as where victims live in “a climate of fear”.³⁷⁵³ 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.³⁷⁵⁴ 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.³⁷⁵⁵
942. 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.³⁷⁵⁶

Imprisonment

943. Imprisonment was recognised as a CAH by CIL by 1975.³⁷⁵⁷ Moreover, it was foreseeable and accessible to **Meas Muth** that he could be prosecuted for imprisonment as a CAH.³⁷⁵⁸

944. The *actus reus* of imprisonment³⁷⁵⁹ 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.³⁷⁶⁰ If national law is relied upon, the relevant provisions must not violate international law.³⁷⁶¹ A state of emergency cannot justify arbitrary imprisonment.³⁷⁶²
945. 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;³⁷⁶³ (ii) the detainee was informed at the time of the arrest of the reasons for the arrest;³⁷⁶⁴ (iii) the detainee was promptly informed, in detail, of any charges against him and/or formally charged;³⁷⁶⁵ (iv) the detainee was informed of his procedural rights,³⁷⁶⁶ including access to legal counsel;³⁷⁶⁷ 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).³⁷⁶⁸ 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.³⁷⁶⁹ He is also entitled to a fair and public trial within a reasonable time, or to release;³⁷⁷⁰ and to the presumption of innocence until proven guilty.³⁷⁷¹ 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.
946. 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.³⁷⁷²

Torture

947. The crime of torture was recognised as a CAH by 1975,³⁷⁷³ and was also a crime under Cambodian law at that time.³⁷⁷⁴ It was foreseeable and accessible to **Meas Muth** that he could be prosecuted for torture as a CAH.³⁷⁷⁵
948. Both the PTC and SCC have determined that the definition and elements of torture contained in the 1975 Declaration on Torture reflected CIL in 1975.³⁷⁷⁶ Moreover, by 1975, the prohibition on torture was a norm of *jus cogens*,³⁷⁷⁷ from which derogations were

therefore not permitted under any circumstances, including public emergency or in the name of national security.³⁷⁷⁸

949. The *actus reus* of torture requires an act or omission inflicting severe pain or suffering, whether physical or mental.³⁷⁷⁹ In determining whether an act or omission constitutes severe pain or suffering, it is necessary to consider all subjective and objective factors.³⁷⁸⁰ 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.³⁷⁸¹ 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.³⁷⁸² 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.³⁷⁸³
950. There is no exhaustive classification of the acts that may constitute torture.³⁷⁸⁴ The consequences of the act or omission need not be visible on the victim,³⁷⁸⁵ there is no minimum level of pain that must be inflicted,³⁷⁸⁶ nor is there a requirement that the injury be permanent.³⁷⁸⁷
951. 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 harm or kill relatives.³⁷⁸⁸ Living in a constant state of anxiety and uncertainty as a result of physical abuse and confinement constitutes mental suffering amounting to torture.³⁷⁸⁹ Similarly, credible threats to physically torture, harm, or kill the victim constitute psychological torture.³⁷⁹⁰ Moreover, a person may suffer serious mental harm by witnessing acts against others.³⁷⁹¹ Certain acts are considered by their nature to constitute severe pain and suffering. These include rape,³⁷⁹² sexual violence,³⁷⁹³ and mutilation of body parts.³⁷⁹⁴
952. Although under ICTY/ICTR jurisprudence, the perpetrator need not have acted in an official capacity,³⁷⁹⁵ 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 1975.³⁷⁹⁶ Pursuant to that definition, the act or omission must have been carried out “by or at the instigation of a public official”.³⁷⁹⁷

953. As regards *mens rea*, the pain and suffering amounting to torture must be inflicted intentionally.³⁷⁹⁸ 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.³⁷⁹⁹ These purposes do not constitute an exhaustive list under CIL and are instead representative.³⁸⁰⁰ 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”.³⁸⁰¹

Persecution on Political, Racial or Religious Grounds

954. Persecution as a CAH existed under CIL by 1975.³⁸⁰² It was foreseeable and accessible to **Meas Muth** that he could be prosecuted for persecution as a CAH.³⁸⁰³
955. 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.³⁸⁰⁴

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

956. “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.³⁸⁰⁵ These other acts or omissions may be,³⁸⁰⁶ but need not necessarily be³⁸⁰⁷ international crimes in and of themselves. Whether the acts actually constitute persecution is a fact-specific inquiry.³⁸⁰⁸
957. The context in which an act or omission takes place is important for the purpose of assessing its gravity or severity.³⁸⁰⁹ 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;³⁸¹⁰ and (ii) the discriminatory effect it seeks to encourage within the general populace against a targeted group.³⁸¹¹

958. 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”.³⁸¹² 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:³⁸¹³ the destruction of religious buildings;³⁸¹⁴ 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;³⁸¹⁵ wanton destruction of private and public property, including cultural monuments and sacred sites;³⁸¹⁶ forced labour;³⁸¹⁷ forced displacement;³⁸¹⁸ inhumane living conditions;³⁸¹⁹ enforced disappearances;³⁸²⁰ the denial of the rights to employment, freedom of movement, proper judicial process and proper medical care;³⁸²¹ and hate speech and calls to violence.³⁸²²

b) *Discrimination in Fact*

959. The act or omission must “discriminate in fact”,³⁸²³ that is, it must have actual discriminatory consequences.³⁸²⁴ 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,³⁸²⁵ and the victim belongs to a sufficiently discernible political, racial or religious group.³⁸²⁶ 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.³⁸²⁷ Persecution might target aggregated groups without any common identity or agenda.³⁸²⁸

960. With regard to persecution on political grounds, there is no requirement that the targeted group actually hold a particular political view at all.³⁸²⁹ 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.³⁸³⁰ 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).³⁸³¹

c) Mens Rea

961. 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.³⁸³² Discriminatory intent requires that the perpetrator acted with the specific intent to harm the victim because he belongs to a particular community or group.³⁸³³ 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.³⁸³⁴
962. Intent has been inferred “through a perpetrator’s knowing participation in a system or enterprise that discriminated on political, racial or religious grounds.”³⁸³⁵ However, the existence of a discriminatory policy is not a requirement for proving persecution.³⁸³⁶ 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.³⁸³⁷

Other Inhumane Acts

963. “Other inhumane acts” was established as a CAH under CIL before 1975.³⁸³⁸ Moreover, it was foreseeable and accessible to **Meas Muth** that conduct rising to the level of “other inhumane acts” could be prosecuted as a CAH.³⁸³⁹ “Other inhumane acts” is *in itself* a crime under international law.³⁸⁴⁰ 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.³⁸⁴¹ 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.³⁸⁴² The act or omission must be sufficiently similar in nature and gravity to other enumerated CAH.³⁸⁴³
964. 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.³⁸⁴⁴

965. Whether conduct meets the criteria for characterisation as an “other inhumane act” is therefore a mixed question of law and fact.³⁸⁴⁵ The seriousness of the act is to be assessed on a case-by-case basis, taking account of the individual circumstances of the case,³⁸⁴⁶ and the facts must be assessed for their gravity holistically.³⁸⁴⁷ 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.³⁸⁴⁸ There is no requirement that the victim suffer long-term effects, although this may be relevant to the seriousness of the acts.³⁸⁴⁹ 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.³⁸⁵⁰ 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.³⁸⁵¹
966. The underlying acts do not therefore require “specific *legal* definitions and elements”.³⁸⁵² 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.”³⁸⁵³ 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.”³⁸⁵⁴
967. In addition to the acts surveyed in more detail below, “other inhumane acts” have been found to include: cruel, humiliating, inhumane or degrading treatment;³⁸⁵⁵ forced prostitution;³⁸⁵⁶ serious physical and mental injury;³⁸⁵⁷ mutilation, beatings and other types of severe bodily harm;³⁸⁵⁸ deplorable detention conditions;³⁸⁵⁹ sexual violence;³⁸⁶⁰ using detainees as human shields;³⁸⁶¹ the witnessing of criminal acts against family or friends;³⁸⁶² forcible circumcision or castration;³⁸⁶³ killings in front of children;³⁸⁶⁴ injuries to demonstrators;³⁸⁶⁵ and forced nudity.³⁸⁶⁶
968. At his Initial Appearance, **Meas Muth** 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 treatment, attacks on human dignity due to conditions of detention, and forced labour.³⁸⁶⁷ How the conduct involved in each of these satisfies the legal elements of “other inhumane acts” as a CAH is discussed below.

a) Inhumane Treatment

969. Inhumane treatment³⁸⁶⁸ is specifically prohibited by numerous human rights instruments, including the UDHR, the ICCPR, and the ECHR.³⁸⁶⁹ Each considers inhumane treatment, degrading treatment, and torture as different prohibited conduct,³⁸⁷⁰ which are distinguishable by the degree, circumstances, and purpose of the treatment or punishment.³⁸⁷¹
970. The ICTY has recognised that inhumane treatment as an other inhumane act has the same elements as cruel treatment as a war crime and inhuman treatment as a grave breach of the GCs, where the perpetrator’s intentional conduct has caused serious physical or mental harm or suffering, or a serious attack on human dignity.³⁸⁷² Acts that have been found to constitute either cruel treatment, inhuman treatment, or underlying acts of the CAH of persecution have included beatings,³⁸⁷³ head-banging,³⁸⁷⁴ the use of restraints and stress positions,³⁸⁷⁵ and confinement under inhumane conditions.³⁸⁷⁶ As a matter of principle, similar conduct amounting to inhumane treatment would satisfy the gravity requirement for classification as an “other inhumane act”.

b) Attacks against Human Dignity due to Conditions of Detention

971. Attacks against human dignity can result 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”.³⁸⁷⁷ According to ECCC and international jurisprudence, similar deprivations in the context of detention can constitute other inhumane acts as CAH.³⁸⁷⁸ 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,³⁸⁷⁹ as well as constituting the offence of cruel treatment as a violation of the laws or customs of war under the ICTY Statute.³⁸⁸⁰ 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.³⁸⁸¹

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

c) Forced Marriage

973. 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”.³⁸⁸² 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 1948.³⁸⁸³ Numerous other instruments in place by 1975 also recognise the importance of consent before entering into marriage.³⁸⁸⁴

974. Forced marriage occurs when the perpetrator compels a person by force, threat of force, or coercion to serve as a conjugal partner.³⁸⁸⁵ ‘Marriage’ implies a relationship of exclusivity between the ‘husband’ and ‘wife’.³⁸⁸⁶ 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’,³⁸⁸⁷ and may involve the commission of one or more international crimes such as enslavement, rape, sexual assault or sexual slavery, among others.³⁸⁸⁸ However, forced marriage is not predominantly a sexual crime, and forced marriage occurs regardless of whether the ‘husband’ and ‘wife’ engage in sexual relations.³⁸⁸⁹

975. 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.³⁸⁹⁰ 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.³⁸⁹¹ Similarly, a climate of fear³⁸⁹² or situations of captivity or detention³⁸⁹³ 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.³⁸⁹⁴

d) Rape

976. 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.³⁸⁹⁵ 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".³⁸⁹⁶ Moreover, the ICTY, ICTR, SCSL, and ICC have all recognised rape as a discrete CAH.³⁸⁹⁷ Rape may also constitute torture where the elements of torture are established.³⁸⁹⁸ The gravity requirement for classification of facts constituting rape as "other inhumane acts" is therefore clearly met.
977. 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*,³⁸⁹⁹ finding that "by imposing the consummation of forced marriages,³⁹⁰⁰ 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."³⁹⁰¹ Both men and women can be subject to physical invasion,³⁹⁰² and **Meas Muth** is charged with acts of sexual violence constituting rape, through enforced consummation of forced marriage, against both men and women.
978. 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.³⁹⁰³ 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."³⁹⁰⁴
979. 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.³⁹⁰⁵ 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.

980. 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.³⁹⁰⁶ 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.³⁹⁰⁷ Proof of resistance (or continuous resistance) by the victim is also not required.³⁹⁰⁸ A person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.³⁹⁰⁹ The circumstances prevailing in most cases charged as war crimes or CAH “will be almost universally coercive,” thus rendering genuine consent impossible.³⁹¹⁰ Circumstantial evidence may be used to demonstrate rape.³⁹¹¹

e) Enforced Disappearances

981. 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. The ICC also recognises enforced disappearance as a discrete crime underlying CAH.
982. 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.

f) Forced Labour

983. International law and human rights instruments widely prohibit forced or involuntary labour.³⁹¹² Moreover, the ICTY and SCSL have both recognised that forced labour is clearly capable of meeting the gravity requirement to constitute an “other inhumane act”.³⁹¹³ As discussed above, forced labour may constitute enslavement when accompanied by indicia of ownership.³⁹¹⁴ 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.³⁹¹⁵
984. 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.³⁹¹⁶ In short, it must be established that the victims had no real choice as to whether or not they would work.³⁹¹⁷ The absence of consent to work may be presumed where the expression of consent is impossible,³⁹¹⁸ such as where victims live in “a climate of fear”.³⁹¹⁹ 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.³⁹²⁰ For example, it may neither be expected that a detainee voice an objection nor that a person in a position of authority threaten him with punishment for refusal to work.³⁹²¹
985. While coercive circumstances may render true consent to work impossible, 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.³⁹²² Other factors considered in the determination have included 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.³⁹²³ 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.³⁹²⁴ 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.³⁹²⁵

986. It is important to note that there are, in fact, circumstances where individuals in detention may be lawfully made to work without compensation. Such work must be conducted in the ordinary course of *lawful*—not extrajudicial—detention, and may not cause serious mental or physical suffering or injury, constitute a serious attack on human dignity, nor be connected with war operations or have a military character or purpose.³⁹²⁶

3. GRAVE BREACHES OF THE GENEVA CONVENTIONS

987. Article 6 of the ECCC Law gives the ECCC jurisdiction over grave breaches of the GCs. Grave breaches were crimes under international law during the period of the ECCC's temporal jurisdiction, which were foreseeable and accessible to the Accused.³⁹²⁷ The specific offences listed in Article 6 include wilful killing, torture or inhuman treatment, wilfully causing great suffering or serious injury to body or health, wilfully depriving a prisoner of war or a civilian the rights of fair and regular trial, and unlawful deportation or transfer or confinement of a civilian. The elements of these offences are discussed below.
988. For the commission of these offences to constitute grave breaches, certain general requirements must be met: 1) the specific offences must be committed in the context of an international armed conflict ("IAC"); 2) the perpetrator must be aware of the factual circumstances that established the existence of an armed conflict; 3) the acts must be committed against persons or property protected under one or more of the Geneva Conventions of 1949; and 4) the perpetrator must be aware of the factual circumstances that established this protected status.³⁹²⁸

GENERAL REQUIREMENTS

International Armed Conflict

989. The requirement of an IAC contains two elements: 1) there must be an IAC; and 2) there must be a nexus between the conflict and the crimes alleged.

990. An IAC must exist in fact.³⁹²⁹ An armed conflict exists “whenever there is a resort to armed force between States or protracted armed violence between governmental authorities and organised armed groups or between such groups within a State.”³⁹³⁰ An armed conflict assumes an international character when it involves two or more States.³⁹³¹ The geographic and temporal application of the GCs extends beyond the vicinity of the actual hostilities and the cessation of fighting.³⁹³² once it is established that an IAC existed at the place and time relevant to the charges, IHL will apply to the whole territory of the relevant States, whether or not actual combat takes place there, and will continue to apply beyond the cessation of hostilities until a general conclusion of peace is achieved.³⁹³³
991. There must be a nexus between the IAC and the crimes alleged.³⁹³⁴ The nexus requirement is met when it is shown that the alleged crimes were “closely related” to the armed conflict as a whole.³⁹³⁵ To this effect, “[t]he armed conflict need not have been causal to the commission of the crime, but the existence of an armed conflict must, at a minimum, have played a substantial part in the perpetrator’s ability to commit it, his decision to commit it, the manner in which it was committed or the purpose for which it was committed.”³⁹³⁶ It is not necessary to establish that there were actual combat activities in the area where the acts are alleged to have occurred or that they were part of a policy or practice tolerated by one of the parties to the armed conflict.

Protected Persons

992. Article 6 of the ECCC Law grants the ECCC jurisdiction over “acts against persons [...] protected under provisions” of the GCs.³⁹³⁷ This reference covers “protected persons” as defined pursuant to article 4 of GC IV (as regards civilian persons) and article 4A of GC III (as regards prisoners of war).
993. GC III extends protection to, *inter alia*, “members of the armed forces of a Party to the conflict as well as members of militias or volunteer corps forming part of such armed forces” who have “fallen into the power of the enemy”.³⁹³⁸ There is no requirement that such persons are captured during combat.³⁹³⁹
994. As to civilians, GC IV extends “protected person” status to civilians who are “in the hands of a Party to the conflict or Occupying Power of which they are not nationals.”³⁹⁴⁰ This

protects, *inter alia*, civilians who find themselves on territory controlled by an enemy state or in a combat zone, or who are stateless persons.³⁹⁴¹ However, a person may be accorded protected status notwithstanding the fact that he is of the same nationality as a party to the conflict.³⁹⁴² The protected status of an individual does not depend on formal bonds and purely legal relations, but on the substance of relations that exist between the individual and the State.³⁹⁴³ The crucial consideration when analysing these substantive relations is the allegiance — or lack thereof — that an individual has to a party to the conflict,³⁹⁴⁴ which may depend more on ethnic identity than nationality.³⁹⁴⁵ Civilians may thus be considered as protected persons for the purpose of GC IV where they are viewed by the State whose hands they are in “as belonging to the opposing party in an armed conflict and as posing a threat to [that] State.”³⁹⁴⁶

Awareness of Factual Circumstances

995. The perpetrator, in addition to having the requisite *mens rea* for the specific crimes, must be aware of the factual circumstances establishing: 1) the existence of an IAC; and 2) the victim’s protected status.³⁹⁴⁷ Knowledge that a foreign State was involved in the armed conflict will satisfy the first element.³⁹⁴⁸ Knowledge that the victim belonged to an adverse party to the conflict will satisfy the second element³⁹⁴⁹ (although, as noted above, this is not the only scenario covered under CIL).

SPECIFIC OFFENCES

Wilful Killing

996. The elements of the offence of wilful killing³⁹⁵⁰ under Article 6 of the ECCC Law (grave breaches) are the same as those of murder under Article 5 of the ECCC Law (CAH).³⁹⁵¹

Torture or Inhuman Treatment

997. The grave breach of “torture or inhuman treatment”³⁹⁵² comprises two distinct sub-offences: (a) torture; and (b) inhuman treatment. The elements of the offence of torture under Article 6 of the ECCC Law (grave breaches) are the same as those of torture under Article 5 of the ECCC Law (CAH).³⁹⁵³ Inhuman treatment is defined as an intentional act or omission which causes serious physical or mental harm or suffering, or constitutes a

serious attack on human dignity.³⁹⁵⁴ This category is an umbrella clause under which those violations of sufficient seriousness that are not expressly enumerated in Article 6 may be considered to be grave breaches.³⁹⁵⁵ Whether any particular act constitutes inhuman treatment is a question of fact to be judged in light of all the circumstances.³⁹⁵⁶

998. Acts which constitute torture or wilfully causing great suffering or serious injury to body or health will simultaneously constitute inhuman treatment. The offence extends also to encompass other acts which violate the principle of humane treatment, in particular respect for human dignity.³⁹⁵⁷ Acts not meeting the threshold of torture because of the failure to prove that they were carried out for a prohibited purpose may also constitute inhuman treatment.³⁹⁵⁸ The inhumane treatment of detainees has been deemed to fall within the scope of this category of grave breaches.³⁹⁵⁹ Acts such as mutilation and other types of severe bodily harm, beatings and other acts of violence,³⁹⁶⁰ rape and sexual violence,³⁹⁶¹ and serious physical and mental injury³⁹⁶² have been considered inhuman treatment.

999. As to *mens rea*, the perpetrator must intend the act or omission, acting with intent or *dolus eventualis* with regard to the infliction of the serious physical or mental suffering or serious attack on human dignity as a result of his act or omission.³⁹⁶³

Wilfully Causing Great Suffering or Serious Injury to Body or Health

1000. This crime is defined as an intentional act or omission causing great mental or physical suffering or serious injury to body or health, including mental health.³⁹⁶⁴ This offence includes acts which do not fulfil the requirements of torture — for example, by requiring a particular purpose — although all acts of torture could fall within the scope of this offence.³⁹⁶⁵ Although the victim must be “seriously” harmed, there is no need to prove that the physical or mental injury is permanent or irremediable,³⁹⁶⁶ but it must go beyond temporary unhappiness, embarrassment or humiliation,³⁹⁶⁷ and beyond harm relating solely to the victim’s human dignity.³⁹⁶⁸ As with inhuman treatment, the *mens rea* incorporates intent and *dolus eventualis* regarding the injury or suffering inflicted.³⁹⁶⁹

Wilful Deprivation of a Fair and Regular Trial

1001. Wilfully depriving a prisoner of war or a civilian of the rights to a fair and regular trial by denying judicial guarantees as defined in GC III and GC IV is a grave breach of those

conventions.³⁹⁷⁰ These judicial guarantees include: (1) the right of the accused to be judged by an independent and impartial court;³⁹⁷¹ (2) the right to be promptly informed of the offences with which the accused is charged;³⁹⁷² (3) the protection against collective penalty;³⁹⁷³ (4) the right to protection under the principle of legality;³⁹⁷⁴ (5) the freedom from moral or physical coercion to enforce a confession to the charged offence;³⁹⁷⁵ (6) the rights and means of defence;³⁹⁷⁶ (7) the right not to be punished more than once for the same act or on the same charge (*ne bis in idem*);³⁹⁷⁷ (8) the right to be informed of the right to appeal;³⁹⁷⁸ and (9) the right not to be sentenced or executed without previous judgment pronounced by a regularly constituted court.³⁹⁷⁹

Unlawful Confinement of a Civilian

1002. The elements of unlawful confinement as a grave breach of the GCs are analogous to the elements of imprisonment as a CAH.³⁹⁸⁰ The confinement of a civilian in armed conflict may be lawful in some limited circumstances, but “only in the conditions prescribed by Article 42 [of GC IV]” and “where the provisions of Article 43 [of GC IV] are complied with.”³⁹⁸¹

1003. Thus, confinement of a civilian is lawful only where there are *reasonable grounds* to believe that the security of the detaining power “makes it *absolutely necessary*”.³⁹⁸² Such a decision must be made only after careful consideration of each individual case, and never on a collective basis.³⁹⁸³ The mere fact that a person is a national of, or aligned with, the enemy cannot be considered as threatening the security of the country where he lives,³⁹⁸⁴ nor can the fact that a person is of military age alone justify confinement.³⁹⁸⁵ An initially lawful internment becomes unlawful if the detaining party fails to respect the detainee’s basic procedural rights and does not establish an appropriate court or administrative board to conduct detention reviews as prescribed in Article 43 of GC IV.³⁹⁸⁶

B. MODES OF RESPONSIBILITY

1004. 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

1005. 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.³⁹⁸⁷ 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;³⁹⁸⁸ 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;³⁹⁸⁹ and the **Extended** form (“JCE III”) which has been held to be inapplicable to ECCC proceedings.

1006. 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,³⁹⁹⁰ and that criminal responsibility pursuant to these modes was both foreseeable and accessible.³⁹⁹¹ The same chambers have held that JCE III did not exist in CIL by 1975.³⁹⁹²

a) Actus Reus

1007. JCE I squarely fits the facts of Case 003. The *actus reus* is comprised of three elements. First, a “plurality of persons” is required.³⁹⁹³ The group of people need not be organised in a military, political, or administrative structure.³⁹⁹⁴ 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.³⁹⁹⁵

1008. Second, there must be a common³⁹⁹⁶ purpose that amounts to³⁹⁹⁷ or involves³⁹⁹⁸ the commission of a crime over which the ECCC has jurisdiction.³⁹⁹⁹ 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 [...].⁴⁰⁰⁰

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.*⁴⁰⁰¹

1009. 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.⁴⁰⁰² A common purpose will thus be criminal where it was intrinsically linked to policies the implementation of which amount to the commission of crimes.⁴⁰⁰³ 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".⁴⁰⁰⁴ Finally, the purpose need not have been previously arranged or formulated. It may materialise extemporaneously and be inferred from the facts.⁴⁰⁰⁵

1010. Third, the accused must participate in the common purpose.⁴⁰⁰⁶ The accused need not have been involved in the formulation of the common plan⁴⁰⁰⁷ or in the commission of a crime; he need only assist or contribute (directly or indirectly) to the execution of the common plan or purpose.⁴⁰⁰⁸ Unlike aiding and abetting, for example, where it must be proven that the accused made a substantial contribution to the specific crime charged, joint criminal enterprise requires only that it be proven that the accused made a significant contribution to

further the joint criminal enterprise in order to hold him responsible for all crimes within the plan.⁴⁰⁰⁹ Neither the accused's position of authority,⁴⁰¹⁰ nor his presence at the time when a crime is committed,⁴⁰¹¹ are required. Moreover, the fact that the accused's participation amounted to no more than his "routine duties" will not exculpate him.⁴⁰¹² All that is required is that he participate in some way in the furtherance of the common purpose,⁴⁰¹³ which in turn has a direct or indirect effect on the commission of the crimes.⁴⁰¹⁴ That contribution may be in whole or in part by way of omission.⁴⁰¹⁵ 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."⁴⁰¹⁶

1011. The accused's contribution must be significant,⁴⁰¹⁷ but it is not required to be necessary or substantial.⁴⁰¹⁸ As such, it need not be a *sine qua non* for the commission of any crime.⁴⁰¹⁹ 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.⁴⁰²⁰ In making this assessment, a Chamber should consider the totality of the accused's activities; particular contributions should not be assessed in isolation.⁴⁰²¹ 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.⁴⁰²²

1012. The SCC has held⁴⁰²³ 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.

1013. 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.⁴⁰²⁴ The establishment of the link between the crime in question and the JCE member is to be assessed on a case-by-case basis.⁴⁰²⁵ 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,⁴⁰²⁶ (ii) explicitly or implicitly requested the non-JCE member to commit a crime,⁴⁰²⁷ or (iii) instigated, ordered, encouraged, or otherwise availed himself of the non-JCE member to commit the crime.⁴⁰²⁸ It may also be relevant whether the crimes were committed by forces under the control of the JCE member,⁴⁰²⁹ or acting in coordination with forces under the control of the JCE member.⁴⁰³⁰

1014. It is, however, not required that the JCE member exercised effective control,⁴⁰³¹ or indeed any “control and influence”⁴⁰³² 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.⁴⁰³³ 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*.⁴⁰³⁴ 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.⁴⁰³⁵ 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.⁴⁰³⁶

1015. 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.⁴⁰³⁷ 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.⁴⁰³⁸

b) Mens Rea

1016. 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 purpose⁴⁰³⁹ at the time of their commission,⁴⁰⁴⁰ and the intent to participate in a common plan aimed at its commission.⁴⁰⁴¹ For specific intent crimes such as persecution or genocide, the accused must also share the relevant specific intent.⁴⁰⁴² Shared criminal intent does not require the accused's personal satisfaction or enthusiasm or his personal initiative in contributing to the JCE.⁴⁰⁴³ Moreover, the accused is not required to know about the specific criminal incidents in question.⁴⁰⁴⁴ Intent can be inferred from a person's knowledge, combined with continuing participation in the crimes.⁴⁰⁴⁵ 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*.⁴⁰⁴⁶

PLANNED

1017. 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.⁴⁰⁴⁷ An accused need not therefore design the conduct alone.⁴⁰⁴⁸ Nor need he be the originator of the design or plan;⁴⁰⁴⁹ it is sufficient to endorse a plan proposed by another.⁴⁰⁵⁰ Circumstantial evidence may provide proof of the existence of the plan.⁴⁰⁵¹ A conviction for planning does not require a finding of a position of authority.⁴⁰⁵²

1018. The plan must precede and substantially contribute to the criminal conduct.⁴⁰⁵³ 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.⁴⁰⁵⁴

1019. 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.⁴⁰⁵⁵ Where an accused plans conduct that has the predominant purpose of indiscriminately attacking civilians, he plans conduct that constitutes crimes.⁴⁰⁵⁶

1020. 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.⁴⁰⁵⁷ The accused's *mens rea* may be inferred from the circumstances.⁴⁰⁵⁸ 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.⁴⁰⁵⁹

INSTIGATED

1021. 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.⁴⁰⁶⁰ This mode of liability has also been described as "urging or encouraging."⁴⁰⁶¹ There is no requirement for the instigation to be "direct and public".⁴⁰⁶² Both positive acts and omissions can constitute instigation,⁴⁰⁶³ which may ensue through implicit, written, or other non-verbal prompting by the accused.⁴⁰⁶⁴ It is not necessary to prove the exact instigating language or conduct used by an accused.⁴⁰⁶⁵

1022. For an accused to be criminally liable on the basis of instigation, a crime must be shown to have actually been committed,⁴⁰⁶⁶ although the specific identification of the principal perpetrators of the particular crime is not required.⁴⁰⁶⁷ Further, the act of instigation must precede and substantially contribute to the commission of the crime.⁴⁰⁶⁸ However, it is not necessary to prove that the crime would not have occurred without the accused's

involvement.⁴⁰⁶⁹ 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*.⁴⁰⁷⁰

1023. 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.⁴⁰⁷¹ 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.⁴⁰⁷²

ORDERED

1024. 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.⁴⁰⁷³ There is no requirement that the person issuing the order and the direct perpetrator be in a formal superior-subordinate relationship,⁴⁰⁷⁴ or that the accused exercise effective control over him,⁴⁰⁷⁵ 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.⁴⁰⁷⁶ That authority may be informal or of a purely temporary nature.⁴⁰⁷⁷

1025. The order need not be given in writing or in a particular form.⁴⁰⁷⁸ The order can be either explicit or implicit, and can be proved circumstantially.⁴⁰⁷⁹ 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.⁴⁰⁸⁰

1026. 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.⁴⁰⁸¹ The order must precede and substantially contribute to the commission of a crime that is later perpetrated.⁴⁰⁸² But it is not necessary to prove that the crime or underlying offence would not have been perpetrated but for the accused's order.⁴⁰⁸³

1027. 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,⁴⁰⁸⁴ or explicit in relation to the consequences it would have.⁴⁰⁸⁵ 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.⁴⁰⁸⁶

1028. 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.⁴⁰⁸⁷

AIDED AND ABETTED

1029. Aiding and abetting⁴⁰⁸⁸ consists of practical assistance, encouragement, or moral support that has a substantial effect on the commission of the perpetrated crime.⁴⁰⁸⁹ 'Specific direction' is not an element of aiding and abetting liability under CIL.⁴⁰⁹⁰

1030. An aiding and abetting conviction does not require proof that the perpetrator of the crime has been tried or even identified.⁴⁰⁹¹ No plan or agreement between the aider and abettor and the principal perpetrator is required for responsibility on the basis of aiding and abetting;⁴⁰⁹² indeed, it is unnecessary for a principal perpetrator to even be aware of the aider and abettor's contribution.⁴⁰⁹³

1031. Although the aiding and abetting must have a substantial effect on the commission of the crime,⁴⁰⁹⁴ there is no requirement for a cause and effect relationship, or that such conduct was a condition precedent to the commission of the crime.⁴⁰⁹⁵ Whether a particular contribution qualifies as "substantial" is a fact-based inquiry.⁴⁰⁹⁶ The conduct constituting aiding and abetting can occur before, during or after⁴⁰⁹⁷ the commission of the crime, and in a different place from the crime.⁴⁰⁹⁸

1032. 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.⁴⁰⁹⁹ While in such cases the authority of the accused is a factor,⁴¹⁰⁰ it is not otherwise necessary to show the accused had authority over the direct perpetrator.⁴¹⁰¹

1033. 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.⁴¹⁰² 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”.⁴¹⁰³ 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.⁴¹⁰⁴

1034. As to *mens rea*, an accused must know, at the time he provides the assistance,⁴¹⁰⁵ that a crime will probably be committed, and that his conduct assists or facilitates the commission of a crime.⁴¹⁰⁶ 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.⁴¹⁰⁷ 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.⁴¹⁰⁸ 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.⁴¹⁰⁹ This knowledge can be inferred from the circumstances.⁴¹¹⁰

2. SUPERIOR RESPONSIBILITY

1035. Superior responsibility, applicable to both military and civilian superiors, was recognised in CIL by 1975.⁴¹¹¹ By that time, the doctrine was not only applicable to both international and non-international armed conflicts,⁴¹¹² but also to CAH.⁴¹¹³ 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;⁴¹¹⁴
- (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.⁴¹¹⁵

SUPERIOR-SUBORDINATE RELATIONSHIP

1036. Regardless of whether an accused is a civilian or military superior,⁴¹¹⁶ 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*.⁴¹¹⁷ It must be shown that the superior had “effective control” over his subordinate,⁴¹¹⁸ or in other words, the “material ability” to prevent or punish the subordinate’s commission of a crime.⁴¹¹⁹ The superior-subordinate relationship can be direct or indirect, and need not be exclusive.

1037. The test of effective control is the same for both military and civilian superiors.⁴¹²⁰ 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.⁴¹²¹

1038. The indicators of effective control are a question more of fact than of law, and should be assessed on a case-by-case basis.⁴¹²² 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;⁴¹²³ the procedure for appointment and the actual tasks performed;⁴¹²⁴ the accused’s capacity to issue orders and whether or not such orders are actually executed;⁴¹²⁵ the authority to invoke disciplinary measures;⁴¹²⁶ and the authority to release or transfer prisoners.⁴¹²⁷ The concept of material ability necessarily also takes into account all factors that might impede a superior’s ability to prevent and punish.⁴¹²⁸

KNEW OR HAD REASONS TO KNOW

1039. 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.⁴¹²⁹ A superior need not know the precise identity of the subordinates who perpetrate(d) the crimes.

1040. 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.⁴¹³⁰ The standard is met if the information was sufficiently alarming to justify further inquiry.⁴¹³¹ There is no requirement that there be a “substantial likelihood” or the “clear and strong risk” of subsequent crimes.⁴¹³² 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.⁴¹³³ However, criminal responsibility will be imposed on an accused who *deliberately* refrains from finding out the relevant information.⁴¹³⁴

1041. The information received does not need to provide specific information about unlawful acts committed or about to be committed.⁴¹³⁵ 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.⁴¹³⁶ An accused's position of command can be a factor demonstrating his knowledge of the crimes committed by his subordinates.⁴¹³⁷ The superior need not share his subordinate's intent.⁴¹³⁸

FAILURE TO PREVENT OR PUNISH

1042. 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.⁴¹³⁹ The existence of a separate legal obligation to act under domestic law is not required.⁴¹⁴⁰ 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.⁴¹⁴¹ 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.⁴¹⁴²

1043. The determination of what constitutes necessary and reasonable measures must be made on a case-by-case basis.⁴¹⁴³ 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.⁴¹⁴⁴ The existence of a crisis situation does not relieve the superior of his duty.⁴¹⁴⁵

1044. 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.⁴¹⁴⁶

C. STANDARD OF PROOF REQUIRED FOR INCIDENT

1045. 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”.⁴¹⁴⁷ 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”.⁴¹⁴⁸ Neither document defines what “sufficient evidence” means in practice.⁴¹⁴⁹

1046. The CIJs have applied the standard of “sufficient evidence” in Cases 001⁴¹⁵⁰ and 002⁴¹⁵¹ 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.⁴¹⁵² 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”.⁴¹⁵³ The ultimate determination of guilt beyond reasonable doubt remains to be assessed by the Trial Chamber.⁴¹⁵⁴

1047. In support of this definition of “sufficient evidence”, the CIJs referred, *inter alia*, to French law and international criminal law jurisprudence.⁴¹⁵⁵ 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”),⁴¹⁵⁶ but offers no definition. In the French system, Investigating Judges are afforded unfettered discretion in making the determination in practice.⁴¹⁵⁷

1048. 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”.⁴¹⁵⁸ 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.”⁴¹⁵⁹ 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”.⁴¹⁶⁰

1049. 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”.⁴¹⁶¹ 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”.⁴¹⁶²

1050. 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.⁴¹⁶³ 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”.⁴¹⁶⁴

D. PERSONAL JURISDICTION

1051. 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 1979.⁴¹⁶⁵

1052. 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,⁴¹⁶⁶ the SCC in *Duch* found that the ECCC had personal jurisdiction only over Khmer Rouge officials,⁴¹⁶⁷ 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.⁴¹⁶⁸

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.

1053. 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.”⁴¹⁶⁹

1. MOST RESPONSIBLE

1054. 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.

1055. The ICTY was mandated as part of its completion strategy to focus on “the most senior leaders suspected of being most responsible for crimes,”⁴¹⁷⁰ whilst referring the remaining perpetrators to be prosecuted at the national level.⁴¹⁷¹ 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”.⁴¹⁷² These dual principles are reflected in decisions of the SCSL,⁴¹⁷³ statements of the ICC Office of the Prosecutor (“OTP”),⁴¹⁷⁴ and have been adopted by the ECCC Trial Chamber,⁴¹⁷⁵ SCC,⁴¹⁷⁶ and the CIJs.⁴¹⁷⁷ The application of these two principles does not require a comparison and ranking of the responsibility of all possible perpetrators,⁴¹⁷⁸ 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.⁴¹⁷⁹

1056. ICTY referral decisions have held that relevant factors to determine the gravity of offences committed include: the geographical and temporal scope of the crimes;⁴¹⁸⁰ the manner in which they were committed;⁴¹⁸¹ the number of incidents;⁴¹⁸² and the number of victims.⁴¹⁸³ Assessing these factors should not be a rigid mathematical exercise, but requires a nuanced cumulative analysis.⁴¹⁸⁴

1057. 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;⁴¹⁸⁵ the hierarchical rank or position of the accused,⁴¹⁸⁶ including the number of subordinates and echelons above;⁴¹⁸⁷ their effective authority⁴¹⁸⁸ and ability to give orders;⁴¹⁸⁹ the temporal scope of their control;⁴¹⁹⁰ their authority to negotiate, sign, or implement agreements;⁴¹⁹¹ their actual knowledge of crimes; and whether those in more senior ranks have already been convicted.⁴¹⁹²

2. SENIOR LEADERS

1058. With regards to the term “senior leaders of Democratic Kampuchea,” the legislative history of the ECCC⁴¹⁹³ and international jurisprudence⁴¹⁹⁴ establish that the term is not limited to members of the CPK Standing Committee or to the “architects of an overall policy.” However, it is the Co-Prosecutor’s view that the plain meaning of the term indicates that it encompasses a limited group of individuals at the highest levels of the political and military hierarchy of the CPK and DK regime.

X. NATIONAL CRIMES AND CRIMES NOT CHARGED

CRIMES UNDER THE 1956 CAMBODIAN PENAL CODE

1059. The Co-Prosecutors have consistently maintained the position,⁴¹⁹⁵ upheld by the PTC,⁴¹⁹⁶ that pursuant to article 3^{new} of the ECCC Law, the ECCC may exercise jurisdiction over the crimes of premeditated murder,⁴¹⁹⁷ torture,⁴¹⁹⁸ and religious persecution⁴¹⁹⁹ (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.⁴²⁰⁰

1060. As the PTC confirmed,⁴²⁰¹ 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.”⁴²⁰² Therefore, the extension of the statute of limitations by the Cambodian National Assembly in 2001 and 2004, respectively for 20⁴²⁰³ and then 30 years,⁴²⁰⁴ did not violate the principle of legality.⁴²⁰⁵ Moreover, a charged person’s right to equality before the law is not violated by the prosecution of National Crimes at the ECCC,⁴²⁰⁶ 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.⁴²⁰⁷ As a result, there is no statute of limitations concern regarding the applicability of National

Crimes in Case 003. 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.⁴²⁰⁸

1061. The Co-Prosecutor does not seek **Meas Muth**'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 **Meas Muth**'s criminal conduct is better described when legally characterised as the international crimes of genocide and CAH (particularly murder, torture, and persecution on political 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

1062. 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.⁴²⁰⁹ Under ECCC and Cambodian law, investigating judges are seised *in rem* with all factual allegations in the prosecution's introductory or supplementary submissions.⁴²¹⁰ 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.⁴²¹¹

1063. The **Meas Muth** 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 **Meas Muth**'s initial appearance 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 **Meas Muth** is responsible for such crimes.⁴²¹² Rule 67(1) clearly provides that the

investigation is concluded when the Co-Investigating Judges issue a Closing Order. 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 seised.

1064. 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 **Meas Muth**’s responsibility for the crimes alleged in the Introductory and Supplementary Submissions.⁴²¹³ 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.

XI. SUBJECT MATTER JURISDICTION

A. CRIMES AGAINST HUMANITY

Attack Against a Civilian Population

1065. 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 and forced movement between rural areas; (ii) enslavement of persons in cooperatives and worksites established by the CPK; (iii) mass forced labour; (iv) the imposition of forced marriage and rape; (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. This attack was directed primarily against the civilian population of Democratic Kampuchea on political, religious, ethnic, and racial grounds.⁴²¹⁴

1066. DK leaders, including **Meas Muth** and other RAK division commanders, also directed an unlawful attack against members of their own armed forces.⁴²¹⁵ Thousands of RAK personnel were forced to disarm and were transferred to cooperatives and worksites where they were enslaved, subjected to inhumane treatment and conditions, and many were ultimately executed.⁴²¹⁶ While these acts occurred during an international armed conflict with Vietnam, the demobilised RAK members were not allied with Vietnam nor were they providing militarily relevant support to Vietnam. As such, the attack on DK's own armed forces amounted to an attack against a civilian population and therefore constitutes CAH under the law as it existed between 1975 and 1979.⁴²¹⁷

Widespread or Systematic

1067. The attack on civilians 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 vast majority of the country's civilian population across the entire territory of DK and lasted over three years and eight months.⁴²¹⁸ Entire civilian populations were forcibly moved from urban centres to the countryside, and millions were enslaved in cooperatives and worksites.⁴²¹⁹ The CPK also established approximately 196 security offices⁴²²⁰ where thousands of civilians were imprisoned, tortured, and executed.⁴²²¹

1068. 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.⁴²²² The similar patterns of inhumane treatment, violence, and other criminal conduct that emerged across the country as the policies were implemented also demonstrate the organised, systematic nature of the attack.⁴²²³

Discriminatory Grounds

1069. The attack on civilians was based on political, religious, ethnic, and racially discriminatory grounds. The CPK imposed a political revolution that brooked no opposition. All civilians were considered real or potential enemies and were variously subject to political re-education, enslavement, detention, and execution.⁴²²⁴ "Enemies" of the regime included

people associated with the former Lon Nol regime, cadres within the CPK ranks who fell under suspicion, people with ties to foreign countries who were characterised as “spies” for foreign governments, and “new people” or “17 April people” who the CPK perceived were opposed to the revolution.⁴²²⁵ Also included were all civilians suspected of disloyalty to the regime or the revolution because of such innocent behaviours as expressing dissatisfaction with living conditions or breaking a tool or even a spoon.⁴²²⁶ The CPK used programmes such as political indoctrination, study sessions, tempering, and constant surveillance to identify those who might lack loyalty.

1070. The attack on civilians was also based on religious grounds, as it involved, *inter alia*, the abolition and suppression of religion and religious practices as well as destruction of religious property. Finally, minorities such as the Vietnamese were persecuted and destroyed on the basis of their racial and ethnic identities.⁴²²⁷

Meas Muth’s Knowledge of the Attack

1071. **Meas Muth** and the other perpetrators had knowledge of the attack against the civilian population and knew that their acts formed part of the attack. The attack was self-evident to all who lived through the DK regime, which imposed a state of terror on the population. Further, **Meas Muth**’s knowledge of the attack is manifested by his extensive contributions to and participation in the attack, as discussed elsewhere in this Submission.⁴²²⁸

B. GRAVE BREACHES OF THE GENEVA CONVENTIONS

International Armed Conflict

1072. Evidence on the Case File establishes that an international armed conflict between DK and the SRV existed from May 1975 until the end of the period under investigation, 6 January 1979.⁴²²⁹ The conflict started with incursions and counter-incursions by the two countries’ armed forces in May-June 1975 and continued with numerous military confrontations throughout 1975 and 1976.⁴²³⁰ Despite purported attempts to find a political solution, the severity of the conflict increased in 1977, with cross-border attacks by both sides and a major incursion into Cambodian territory by the SRV army in late 1977.⁴²³¹ DK officially severed its diplomatic relations with the SRV on 31 December 1977 and ongoing fighting

continued along the border between the two countries throughout 1978.⁴²³² The SRV army's full-scale invasion of Cambodia in late December 1978 represented the final stage of the armed conflict, which culminated in the capture of Phnom Penh on 7 January 1979 by Vietnamese forces.⁴²³³

1073. Indicia that the armed conflict was continuous include the CPK's deployment of both Centre and Zone RAK divisions as well as militia against the SRV; the engagement of the SRV army; the CPK Standing Committee's issuance of instructions on military matters and its resolution to confront Vietnamese encroachments; repeated clashes between SRV and DK forces and their incursions into each other's territory; and regular reporting from the RAK and zone leaders to the Party Centre on military incidents throughout the period.⁴²³⁴

1074. The crimes perpetrated by DK forces and cadres were closely related to this international armed conflict.⁴²³⁵ They were committed against members of the armed forces of the SRV, the country opposing DK in the armed conflict, as well as against civilians found in combat zones or in DK territory who were considered to be a threat to DK because they were nationals (or perceived to be nationals) of the opposing party to the conflict. The crimes were carried out in furtherance of the CPK's military goals against the SRV and were committed during the time of the RAK's organised attacks into Vietnamese territory. Finally, the perpetrators were implementing the CPK's policy to exterminate the Vietnamese in Cambodia, which had its genesis in the CPK's desire to resist perceived Vietnamese expansion.

Protected Persons

1075. The Vietnamese soldiers and civilians who were the victims of the crimes described elsewhere in this Submission⁴²³⁶ were protected persons under Geneva Conventions III and IV. The Vietnamese civilians found themselves in the hands of a party to the conflict of which they were not nationals (DK) and, as such, had the status of protected persons under GC IV. SRV Soldiers captured by DK forces were prisoners of war who had fallen into the power of the enemy, and as such had the status of protected persons under GC III.⁴²³⁷

Awareness of Armed Conflict

1076. Grave Breaches against the Vietnamese were committed by: (1) members of the RAK who were engaged in armed confrontations with Vietnam and incursions into Vietnamese territory; and (2) prison officials, interrogators, and guards at DK security offices, including S-21, where Vietnamese prisoners of war and civilians were imprisoned, tortured, and executed. The evidence on the Case File demonstrates that both of these groups of perpetrators were aware of the existence of the armed conflict between DK and SRV. Members of the RAK who carried out incursions into Vietnam and who were fighting at the borders or at sea were clearly aware of the existence of the armed conflict and that the Vietnamese soldiers who were captured and sent into captivity in Phnom Penh were members of the armed forces of SRV, the state with whom DK was at war. They also knew that the civilians they captured, killed, or sent to S-21 were nationals of the foreign state opposing them in the conflict.⁴²³⁸

1077. CPK cadres at S-21 also understood that they were imprisoning, torturing, and executing Vietnamese victims in the context of the ongoing armed conflict with Vietnam. For example, Vietnamese civilians captured at sea and sent to S-21 were routinely listed as spies in S-21 records. They and the Vietnamese soldiers imprisoned at S-21 were tortured into making confessions relating to the armed conflict and Vietnam's supposed expansionist aims, which were broadcast on the DK radio. Vietnamese prisoners of war arrested and taken to S-21 were also recorded with descriptions of their SRV rank and military unit, as well as the place of their arrest.⁴²³⁹

XII. PERSONAL JURISDICTION

1078. The evidence developed in the investigation of Case 003 establishes that **Meas Muth** falls within the personal jurisdiction of the ECCC. **Meas Muth** was unquestionably a "senior leader" of the DK regime, holding powerful positions in both the military and political hierarchy that allowed him to play a significant role in the formation and implementation of national policies, to supervise a significant portion of the DK's military forces as they carried out various crimes, and to control the lives of tens of thousands of civilians in areas under his control.

1079. The evidence shows that as other members of the DK military and the CPK fell under suspicion and were purged, **Meas Muth** was handed ever-increasing power and responsibilities. **Meas Muth** was considered a Pol Pot loyalist and was trusted to implement the CPK's criminal policies with the powerful forces under his command. **Meas Muth** used both his military positions and civilian authority to further the criminal plan and he played a unique and critical role in some of the most brutal crimes the world has seen — crimes that led to the enslavement, torture and killing of tens of thousands of Cambodians.

1. SENIOR LEADER⁴²⁴⁰

1080. Meas Muth held multiple high-level positions in Democratic Kampuchea at both the national and regional levels, making him one of the most senior and powerful leaders of the regime. Meas Muth's rapid rise in rank coincided with a simultaneous increase in the number and severity of crimes committed against the Cambodian population. Pol Pot, Son Sen, Ta Mok and other senior leaders of the regime considered Meas Muth loyal and effective and granted him increasing power and authority to enable him to implement the criminal policies the leadership saw as necessary to maintain their rule in a failing and ever-more brutal dictatorial regime.

1081. **Meas Muth's** appointment to the Central Committee during the DK period is proof of the high regard the Standing Committee had for his work in implementing Party policy in Division 164 and Kampong Som Autonomous Sector. The Central Committee was the highest decision-making body in the CPK and was responsible for implementing the Party's policies and instructing the Zones, Autonomous Sectors, and armed forces to carry out those policies. As a member of the Central Committee, **Meas Muth** was thus one of the most influential members of the CPK. Only the Standing Committee (which formally consisted of five full-rights members and two candidate members) stood above the Central Committee, and the Standing Committee members were themselves elected by the Central Committee. The legally and morally unlimited power of the Central Committee is demonstrated by the decision they passed on 30 March 1976 delegating the power to authorise extrajudicial killings to the General Staff, Zones and other Committees within the DK hierarchy.

1082. In addition to his Party positions, **Meas Muth** played an important role as a member of the RAK General Staff from its formation in 1975 through the fall of the regime. The RAK General Staff was the highest military institution in the DK regime with authority to give orders to all RAK units. Towards the end of the regime, **Meas Muth** and Sou Met were appointed to serve as joint Deputies of the General Staff Committee. Further, as Division 164 Secretary from its formation in 1975, **Meas Muth** commanded the largest of the nine divisions of the RAK. With up to 10,000 soldiers, Division 164 had 40 percent more personnel than the next largest Division. **Meas Muth** therefore controlled a significant portion of the whole DK security apparatus.

1083. In terms of the breadth of the geographical area over which his power extended, as Division 164 Secretary, head of the DK Navy, and Secretary of Kampong Som Autonomous Sector, **Meas Muth** was the leading authority in an area that included all Cambodian territorial waters and islands along an approximately 400 km coastline as well as the Kampong Som Autonomous Sector. Later, during the DK internal purges, **Meas Muth** was appointed to lead Autonomous Sector 505 (Kratie), and his authority extended to this vast region. **Meas Muth's** political and military positions gave him authority over all the cadres and civilians living in these two autonomous sectors and on the islands.

1084. The combined military and political authority from these positions gave **Meas Muth** a degree of power and influence in Democratic Kampuchea equalled by few of the regime's leaders. Moreover, **Meas Muth's** influence extended across the country through his role on the Central Committee and his position as Deputy Secretary of the General Staff.

2. MOST RESPONSIBLE⁴²⁴¹

1085. Aside from **Meas Muth's** senior leadership roles in DK, he was also one of the DK officials "most responsible" for the crimes committed in DK. **Meas Muth** played a key role in crimes of extreme gravity that were committed by forces under his control, and in the paranoid and murderous purge of the RAK's own forces. **Meas Muth** facilitated and encouraged the direct perpetrators of crimes and gave direct orders for crimes to be committed, including murder, extermination, genocide, torture, arbitrary imprisonment, enslavement, and inhumane acts (including forced marriages and rape).

1086. All of the crimes discussed in this Submission and for which the ICP seeks **Meas Muth**'s indictment are extremely serious and led to enormous suffering for the victims. Indeed, the effect of these crimes remains today. Families mourn the loss of loved ones; communities still lag behind because of losing so many of their most productive members (such as doctors, teachers), and survivors live with terrifying, painful, and often humiliating memories that often continue to affect their health and relationships. Most of the crimes described in this Submission fall into the category of "crimes against humanity", a term that recognises that all of humanity has an interest in ensuring there is no impunity for such serious crimes. All of the crimes discussed in this Submission are directly tied to **Meas Muth**: they were physically perpetrated by subordinates of **Meas Muth** according to his orders or to policies he helped to establish and propagate, and they were committed at execution sites, security centres, and worksites almost all of which were established by **Meas Muth**.

1087. Further, in considering whether **Meas Muth** falls within the ECCC's personal jurisdiction, it is important to consider the willing and important role he played in a campaign that constituted genocide. Cambodia was among the first of 147 states parties to the 1948 Genocide Convention, having acceded to the Convention on 14 October 1950. As a treaty member, Cambodia is legally obligated to do all it can to prevent genocides and punish the perpetrators. As a country whose people have themselves been victimised by a genocidal campaign, the country's moral obligation is even greater.

1088. Surely those who negotiated the Agreement Between the United Nations and the Royal Government of Cambodia Concerning the Prosecution Under Cambodian Law of Crimes Committed During the Period of Democratic Kampuchea recognised this obligation, and it is reasonable to assume that by extending the court's personal jurisdiction to those "most responsible" for the crimes committed during the DK period, the intent was to ensure that leaders who actively participated and made significant contributions to the genocides perpetrated by the DK regime would be brought to justice.

1089. **Meas Muth**'s crimes alleged in this Submission were committed against tens of thousands of individuals in Kampong Som Autonomous Sector, Cambodia's coastal waters and islands, and in Sector 505. His victims were enslaved at worksites in inhumane conditions,

forced to marry, subjected to arbitrary arrests and detentions or, in the case of thousands, killed by the regime. Further, as a result of the General Staff's implementation of the CPK internal purge of the RAK Centre Divisions and Regiments, at least 4,900 RAK prisoners were sent to S-21, an institution administered and supported by the General Staff.

1090. As Deputy Secretary of the General Staff Committee, **Meas Muth** played an important role in these killings as he endorsed the planned purge of RAK personnel in meetings of the General Staff and worked to implement it in his own areas of responsibility, personally ordering many of his own subordinates to be transferred to S-21. Further, thousands more were killed in security centres and execution sites by Division 164 personnel and other forces under the command of **Meas Muth** operating in Kampong Som Autonomous Sector, the territorial waters and islands off the DK coast, and Autonomous Sector 505 when these areas were ruled by **Meas Muth**.

1091. At least 10,000 soldiers and civilians were forced to labour under conditions that constituted the crime of enslavement in Kampong Som Sector. Many hundreds were imprisoned in inhumane conditions, tortured, and executed without any legal process. Over a thousand Vietnamese and Thais, and 10 Westerners were executed in Kampong Som Sector, at sea or on the islands, or sent to S-21 and executed there. The 194 Vietnamese that were sent to S-21 by **Meas Muth** formed a third of the total number of Vietnamese sent to Tuol Sleng from all of Cambodia. In total, **Meas Muth** ordered that around 706 individuals deemed "enemies" be sent to S-21. Hundreds of couples were forced to marry in Kampong Som pursuant to policies ordered and facilitated by **Meas Muth**, who also personally ordered some specific couples to marry and whose deputy commanders presided over multiple ceremonies.

1092. **Meas Muth**'s crimes were not isolated or sporadic but occurred continuously over the entire temporal jurisdiction of the court as part of a systematic persecution of the population. In Kampong Som Sector, **Meas Muth** was sending suspected individuals for persecution and execution to Wat Enta Nhien, Toek Sap, and S-21 from 1975 until 1979. Similarly, **Meas Muth** established the Sector's worksites at Ream and Stung Hav where he enslaved demobilised RAK military and the civilian population from 1975 up until 1979. The execution of Vietnamese by Division 164 commenced in 1975 and continued at least

through late 1978. The treatment of captured Vietnamese by Division 164 was consistent throughout the DK period – all were executed, or sent to be executed, after capture.

1093. **Meas Muth**'s responsibility for the crimes alleged in this Submission is very high. He played an influential role in the criminal policies due to the vast authority he wielded; and his contributions were active and often direct, including direct orders to commit crimes. As the highest authority in the Kampong Som Sector and in Division 164, he ordered, planned, and instigated these crimes. In his role on the General Staff, he encouraged other Division and Regiment commanders to purge enemies in their ranks. He personally carried out purges by arresting and sending cadres for execution as in the purge of Division 117 and Sector 505. He designed a system to identify, search, arrest, re-educate, imprison, torture, and execute so-called enemies of the CPK.

1094. **Meas Muth** personally indoctrinated his subordinates regarding the enemy policy to persecute and execute individuals suspected of being enemies of the CPK without trial. Pursuant to his orders and the policies he established, prisoners were detained in inhumane conditions at worksites and security centres. He ordered and indoctrinated subordinates to force couples to marry and to consummate those marriages against their will. In short, **Meas Muth** used his subordinates to implement the criminal policies to persecute and execute enemies and enslave the population to achieve the political goals of the CPK, knowing and intending that those crimes would be committed.

1095. **Meas Muth** had the power to issue orders, appoint and demote staff, and to punish subordinates. His control was comprehensive. He earned a reputation among his soldiers for being "very strict", "meticulous", "mean", and "vicious". He controlled every aspect of Division 164 and Kampong Som Sector, issuing orders in respect to military operations, patrol and capture of boats, demobilisation and transfer of soldiers, agricultural production, marriages, identification of military personnel and ordinary citizens suspected of disloyalty to the regime, arrests, and executions. As part of his role in the General Staff, **Meas Muth** also issued similar orders to Division 117. He removed and replaced Division 164, Division 117, and Sector 505 cadres.

1096. In evaluating whether **Meas Muth** is among those "most responsible" for the crimes of the DK regime, it is instructive to compare his role with that of Kaing Guek Eav alias Duch,

who was determined to be among those most responsible for the crimes of the DK regime in Case 001.⁴²⁴² Notably, **Meas Muth** held a far higher position than Duch. Duch, when being questioned by the Co-Investigating Judges about an S-21 confession with an annotation that was addressed to “Comrade **Muth**” and asked whether he wrote that annotation, responded, “I could not use the term ‘Comrade **Mut**’ given his rank and age, he was senior to me”.⁴²⁴³ In one 1977 DK document, Duch’s Office S-21 was listed as having 2,317 personnel, while **Meas Muth**’s Division 164 was listed as having 8,568 personnel, almost four times greater.⁴²⁴⁴

1097. **Meas Muth** was clearly in an entirely different, and superior, echelon to Duch in the CPK, bearing in mind his membership in the Central Committee, General Staff Committee, and the Division 164 and Kampong Som Sector Committees, not to mention his personal relationship with Ta Mok. **Meas Muth** had many more responsibilities at a policy level than Duch, who had the singular role of operating the S-21 security centre. Moreover, as argued in this Submission, **Meas Muth** was responsible for the crimes of genocide and other inhumane acts through forced marriage, which were not charged against Duch.

1098. Consequently, the International Co-Prosecutor submits that the totality of evidence from the investigation establishes that **Meas Muth** was both one of the most senior DK leaders and one of those most responsible for the crimes committed in the Democratic Kampuchea regime, and he therefore falls within the personal jurisdiction of the ECCC.

1099. The International Co-Prosecutor also acknowledges and appreciates the concern of the National Co-Prosecutor that before any ECCC indictment is issued, the objectives of the ECCC expressed in the preamble to the agreement between the United Nations and Royal Government of Cambodia should be considered. The preamble to the agreement states that the United Nations General Assembly recognised the legitimate concern of the Cambodian government and people for “the pursuit of justice, and national reconciliation, stability, peace and security.”⁴²⁴⁵ Accordingly, the ICP has carefully considered the possible effects an indictment of **Meas Muth** could have on justice, national reconciliation, stability, peace and security in Cambodia.

1100. In order to evaluate how national reconciliation, stability, peace, and security could be affected by an indictment of **Meas Muth**, the ICP looked at how previous trials at the

ECCC impacted these concerns and goals. Further, as the identities of the suspects who are the subject of the Case 003 and 004 investigations have been public for some time, the ICP looked at what effect, if any, public awareness of the fact that the ECCC was conducting criminal investigations of these individuals, including **Meas Muth**, has had on how Cambodians perceive the state of justice in the country as well as what effects, if any, this has had on national reconciliation, stability, peace, and security.

1101. From all evidence available to the ICP, it appears clear that the convictions and life sentences handed down in Case 001 and Case 002/01 have had no negative effect on national reconciliation, stability, peace or security, and arguably have had many positive effects. Further, there have been no negative public reactions to the disclosure that **Meas Muth** and other suspects were under investigation in Cases 003 and 004, nor was there any negative public reaction when it was publicly announced that he had been charged by the International Co-Investigating Judge, or when it was publicly announced that the judicial investigation against him had closed. The ICP considers there is no reason to believe that the indictment of **Meas Muth** would compromise national reconciliation, stability, peace, or security in Cambodia. Rather, the effort to hold high-level DK leaders responsible for massive crimes accountable for their actions would enhance public confidence that persons of influence cannot forever evade responsibility for crimes and that justice is achievable, thereby buttressing the long-term stability and peace of Cambodia.

1102. The accused in Case 002 were the most senior surviving members of the DK regime. Nuon Chea was second in the CPK hierarchy and the right-hand man to Pol Pot, while Khieu Samphan was the former Head of State and for many years the public face of both the Democratic Kampuchea state and the CPK under its various appellations. The Case 002/01 trial began in 2011. In 2014, a trial judgment was rendered convicting Nuon Chea and Khieu Samphan of various crimes against humanity and sentencing each to spend the rest of their lives in prison. Convictions for crimes against humanity and the life sentences were upheld in the ECCC Supreme Court Chamber's judgment which was pronounced in November 2016.⁴²⁴⁶

1103. There were no reports of negative reactions to the conviction or sentencing of these Khmer Rouge leaders. No extraordinary security measures appear to have been taken to prepare

for the judgments and, in fact, there were no demonstrations or protests by former cadres of the Khmer Rouge reacting negatively to the convictions. At no time has there been any indication that the trial, convictions, and life sentences handed down to Nuon Chea and Khieu Samphan threatened peace, security, stability, or reconciliation in Cambodia.

1104. While the accused in Case 002 were above **Meas Muth** in the DK hierarchy, the Accused in Case 001, Duch, was at a much lower level in the hierarchy. Duch was not a member of the Central Committee and held no other political appointment; he did not administer even one Sector, let alone two, as did **Meas Muth** eventually, or even a lower administrative area; and he commanded far fewer troops than **Meas Muth**. Yet just as there was no negative reaction or any security incidents from the arrests, trials, and convictions of the highest CPK leaders, nor was there any negative reaction to the prosecution and conviction of Duch, a mid-level cadre at a much lower level of authority than **Meas Muth**.

1105. The Khmer Rouge have long ceased to be a threat to Cambodia's peace and security. The movement collapsed almost two decades ago as the remnants of the CPK were riddled with internal disputes and splintered apart in the late 1990s. Today, the Pol Pot regime is almost universally reviled in Cambodia and there is no significant public support or prospect of any resurgence of the movement.

1106. Rather than leading to unrest or protest, Cambodians have shown significant interest in, and support for, the prosecution of these Khmer Rouge leaders. Thousands of civil parties have participated, or applied to participate, in these cases and over 200,000 people have attended the trials to date. Given the fact that the prosecution of cadres both above **Meas Muth** (Nuon Chea and Khieu Samphan) and below **Meas Muth** in the DK political and military hierarchy (Duch) have been tried with no negative effect on national peace, security, or reconciliation, there is no reason to believe that the prosecution of **Meas Muth**, 39 years after the fall of the DK regime and almost a quarter century after the signing of the Paris Peace accords, would threaten Cambodia's peace, security, or national reconciliation.

1107. Further, the fact that **Meas Muth** is a suspect in the Case 003 investigation has been public knowledge since at least 2011.⁴²⁴⁷ In the six years since, there has been no unrest or negative public reaction to this news that would threaten the peace, security, or national reconciliation of Cambodia. The fact that **Meas Muth** holds a military rank does not

indicate that any attempt to hold him accountable for crimes would threaten public order. Since the signing of the Paris Accords and the end of the civil war in Cambodia, several high-ranking military officers, including generals, have been prosecuted without any consequences to public order, including former Khmer Rouge generals.⁴²⁴⁸ As far as the ICP is aware, OCIJ investigators have been able to interview former Khmer Rouge cadres about **Meas Muth** and suspects in Cases 003 and 004 without serious incident.

1108. The current International Co-Prosecutor, his predecessor, and the Deputy International Co-Prosecutor who served as Acting ICP, have consistently stated that there will be no further cases at the ECCC after Cases 003 and 004. Given the advanced stage of the ECCC, there is no reason for anyone to fear that more suspects will be named if **Meas Muth** is indicted. Thus, there is no rational basis for former Khmer Rouge cadres to threaten the security of the country because they fear their own arrest if **Meas Muth** is indicted.

XIII. INDIVIDUAL CRIMINAL RESPONSIBILITY

A. OVERVIEW

1109. **Meas Muth** is individually responsible for genocide, crimes against humanity and grave breaches of the Geneva Conventions pursuant to Articles 4, 5 and 6 of the ECCC Law as established by the evidence in the Case 003 investigation which is discussed in this submission.

1110. **Meas Muth** 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. **Meas Muth** committed these crimes not as a physical perpetrator but as a participant in a joint criminal enterprise.

B. MODES OF LIABILITY

1. COMMITTING VIA JOINT CRIMINAL ENTERPRISE⁴²⁴⁹

1111. **Meas Muth** committed each of the crimes charged through his participation in a joint criminal enterprise. The JCE involved the basic (“JCE I”) form of common plan liability.
1112. The members of the JCE shared a common criminal plan to commit the crimes described in this submission as a means to maintain the CPK in power and to implement the CPK central leadership’s radical agrarian, economic, and social policies.
1113. While the common plan extended to all areas of Cambodia, the JCE described in this submission concerns the implementation of the common plan in areas controlled by **Meas Muth**’s forces which included the Autonomous Sector of Kampong Som, islands occupied or controlled by DK naval forces, and, in late 1978, Autonomous Sector 505, and the purge of “enemies” within the ranks of the RAK Centre Divisions and Independent Regiments.
1114. The plan sought to radically alter Cambodian society to achieve an atheist, classless society with a single national and ethnic identity by criminal means. In order to eliminate opposition and perceived enemies and to maintain the CPK in power, the plan involved the commission of **genocide**, the crimes against humanity of **extermination, murder, torture, imprisonment, enslavement, persecution, and other inhumane acts**, and the grave breaches of the Geneva Conventions of **unlawful confinement, torture, wilfully causing great suffering or serious injury to body or health, and wilful killing** against various categories of perceived enemies.
1115. These enemies included RAK personnel and CPK cadres perceived as disloyal, their families, and others perceived as connected to them; former soldiers and officials of the Lon Nol regime and others perceived as connected to them; the group of people forcibly transferred from cities and towns, commonly referred to as “New People” or “17 April People”; those considered or labelled by authorities as spies for the CIA or KGB; ethnic and national Vietnamese or those perceived as affiliated with them; those from the “bourgeois”, “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 Vietnamese people in Cambodia as a distinct racial, national and ethnic group.

1116. 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 the consent of one or both partners (rape). Further facilitation of these policies involved the commission of the crimes against humanity of enslavement, murder, extermination, imprisonment, torture, and other inhumane acts (enforced disappearances and inhumane treatment) against workers at cooperatives and worksites.
1117. **Meas Muth** 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.
1118. **Meas Muth** became a member of this JCE from at least 17 April 1975 when he led Division 3 of the RAK into Phnom Penh. **Meas Muth** remained a member of the JCE through the end of the temporal jurisdiction of the ECCC, 6 January 1979.
1119. **Meas Muth** acted in concert with other members of the JCE. They included Pol Pot; Nuon Chea; Khieu Samphan; Son Sen; the members of the Standing Committee; the members of the Central Committee; the RAK General Staff; the Centre Division and Independent Regiment Secretaries and Deputies, **Meas Muth's** subordinates within the leadership of Division 164 and in Kampong Som Autonomous Sector, including Thuch Rin alias Krin (Kampong Som Sector Deputy Secretary and Kampong Som Port Chief) and Launh (Kampong Som Sector committee member).
1120. Within Division 164 the JCE members included Hoeng Doeun alias Dim (Division 164 Deputy Secretary); Tim Seng (Division 164 Deputy Secretary and acting Secretary in late 1978, Regiment 140 Secretary, Regiment 140 Deputy Secretary); Chey Han alias Chhan (Division 164 Deputy Secretary and committee member); Mom Chim alias Yan (Division 164 committee member, Regiment 163 Commander); Men Nget (Division 164 Deputy, Division 164 committee member, Regiment 161 Commander); Long Saroeun alias Roeun/Rin (Division 164 Deputy, Regiment 140 Commander, Kampong Som Port Chief);

Kim Nhan alias Nhan (Division 164 committee member, Regiment 163 Commander); Mao Son alias Son (Regiment 161 Commander); Sok Pheap (Regiment 161 Commander, Kampong Som Port Deputy Chief); Iek Mienh (Regiment 162 Commander); Son and Yeang (Regiment 162 Commanders); San Seab alias Sam (Regiment 162 Deputy Secretary); Sin Chorn (Regiment 163 Commander); Sras (Regiment 163 Deputy Commander); Han (Regiment 140 Commander); and Moeun, Chhav, Chhin, Sambath alias Bau, and Uoch (Regiment 140 deputies and committee members).

1121. Other JCE members in Division 164 included Sar Moeun alias Moeun (Battalion 165 (450) Commander and head of Wat Enta Nhien security centre); Chhun Lun alias Sam-At alias Sun (Battalion 165 (450) Deputy Commander); Thean and Em Sum (Battalion 165 (450) committee members); Norn (Chief of Battalion 165 (450) guards posted at the division headquarters and Chairman of Wat Enta Nhien security centre); Division 164 personnel in charge of cooperatives, worksites, and execution sites located in the Ream area and at Stung Hav; Division 164 personnel responsible for the operation of Wat Enta Nhien and Toek Sap security centres; and all other commanders and deputies of Division 164 regiments and battalions, including battalions 611, 612, 613, 621, 622, 623, 624, 631, 632, 633, 141, 142, 143, 144, and independent battalions 165, 166, 167, 168, 169, and 170.

1122. Local officials, including cooperative and village chiefs, work site supervisors, soldiers, militia, and cadres under the authority of members of the JCE, were themselves either members of the JCE or were used by members of the JCE to implement the criminal plan.

1123. **Meas Muth** made a significant contribution to the JCE through the following acts, by:

CONTRIBUTION TO THE PERSECUTION AND EXECUTION OF ENEMIES⁴²⁵⁰

- (a) **Instigating, planning, ordering and aiding and abetting** the arrest, imprisonment, inhumane treatment, torture, disappearance and execution of individuals deemed enemies of the CPK particularly within all RAK Centre Divisions and Independent Regiments, Division 164, Division 117, Sector 505, Vietnamese, Thai, Westerners and those imprisoned at Wat Enta Nhien, Toek Sap security centres and at S-21 in Phnom Penh;

- (b) **Meeting** with other RAK Centre Division and Independent Regiment commanders on a monthly basis to receive instructions from Son Sen on the CPK policy to re-educate, persecute and execute enemies in the RAK;
- (c) **Contributing** to discussions with other RAK Centre Division and Independent Regiment commanders in which the criteria of CPK enemies was developed and interpreted;
- (d) **Coordinating** with other RAK Centre Division and Independent Regiment commanders to implement the plan to persecute and execute enemies in their respective units;
- (e) **Encouraging** other RAK Centre Division and Independent Regiment commanders to persecute and execute enemies within the RAK;
- (f) **Ordering** the arrest and transfer of enemies arrested by his subordinates in his area of control to S-21 security centre to be imprisoned, interrogated, tortured, and executed; and
- (g) **Reporting** regularly to Son Sen and other Standing Committee members on the status of the implementation of the CPK enemy policy in Division 164 and the Kampong Som Sector through written communications and attendance at meetings.

Within Division 164⁴²⁵¹

- (a) **Collaborating** closely with Son Sen and **Meas Muth's** subordinates in order to identify, search, arrest, persecute and execute Division 164 enemies or enemies present in the Kampong Som Autonomous Sector and other areas under **Meas Muth's** control;
- (b) **Implementing** a system to identify enemies within Division 164 for arrest, imprisonment, enslavement, and execution;
- (c) **Ordering** the recording of biographies of Division 164 personnel to assess for any enemy traits;
- (d) **Creating** an inspection committee within Division 164 to review biographies of personnel and investigate their validity;
- (e) **Monitoring** continuously the activities of all Division 164 members for enemy behaviour;

- (f) **Reviewing** S-21 confessions in conjunction with Son Sen to determine if individuals mentioned in those confessions were traitors and to take measures by persecuting or executing the individuals that had been identified;
- (g) **Conducting** training sessions where CPK cadres were instructed on the CPK enemy policy regarding the purging of internal enemies in the RAK, the necessity to search for enemies within the RAK and to report on suspicious activities; and warning CPK cadres that if they failed to do so they would be subject to arrest and execution themselves;
- (h) **Conducting** meetings where confessions of subordinates taken at S-21, in which other individuals in Division 164 deemed as enemies were identified, were read to Division 164 personnel to encourage the search for further enemies in the division and to serve as a warning to subordinates of the consequences of undertaking any enemy behaviour;
- (i) **Ordering** the disarming, imprisonment and enslavement of thousands of individuals from Division 164 and the execution of hundreds of these troops;
- (j) **Ordering** that lower-ranked RAK subordinates deemed to be enemies be sent to security centres and worksites in the Kampong Som Sector operated by other subordinates under his control;
- (k) **Ordering** the arrest of Division 164 personnel including those who were formerly from the East Zone and consequently believed to be enemies; and
- (l) **Ordering** the arrest and transfer of 67 Division 164 personnel, including **Meas Muth's** Deputy Hoeng Doeun alias Dim and Division 164 Committee Member Chey Han alias Chhan, deemed to be enemies to S-21 for imprisonment in inhumane conditions, torture and execution.

Within Division 117 and Sector 505⁴²⁵²

- (a) **Conducting and Ordering** the purge of commanders and officials of Division 117 and Sector 505 who were deemed to be enemies in late 1978 and transferring them to S-21 for imprisonment in inhumane conditions, torture, and execution;
- (b) **Supervising** the transfer of some of the Division 117 and Sector 505 commanders and leaders to S-21 through personal presence at the Kratie airport when this took place;

- (c) **Ordering** the execution of Mao Oeung, the Sector 505 committee member in charge of military affairs;
- (d) **Replacing** purged Division 117 and Sector 505 cadres with individuals selected by him;
- (e) **Conducting** a meeting in Kratie where he advised the subordinates of the high level cadres from Division 117 and Sector 505 that their superiors were sent to S-21 because they were traitors as they were not resolute in the fight with the Vietnamese;
- (f) **Ordering** the killing of RAK forces that retreated when the Vietnamese advanced in Sector 505; and
- (g) **Continuing** the purge against lower-level Division 117 and Sector 505 cadres and civilians of Sector 505.

Of Vietnamese⁴²⁵³

- (a) **Ordering and encouraging** the systematic execution of captured Vietnamese;
- (b) **Indoctrinating** low-ranking soldiers on the CPK policy with respect to external enemies, including the Vietnamese, by using inflammatory language designed to provoke hatred towards the Vietnamese;
- (c) **Implementing** training sessions where Division 164 cadres were instructed to execute Vietnamese whenever they were captured and instructing those at the meeting to pass this instruction down to their subordinates;
- (d) **Ordering** his subordinates to capture, transfer or kill on the spot Vietnamese located in his area of control on sea or land;
- (e) **Monitoring** closely the capture of Vietnamese at sea by his subordinates by instructing them to report to him each time such captures occurred;
- (f) **Endorsing** a decision at a General Staff Centre Division and Independent Regiment commanders meeting in October 1976 to execute Vietnamese and other groups;
- (g) **Reporting** to the Standing Committee through Office 870 of his intention to execute all Vietnamese in his area of control;
- (h) **Ordering** the execution of 10 captured Vietnamese refugees in April or May 1975;

- (i) **Ordering** the execution of Vietnamese soldiers as well as refugees, fishermen, and Khmer Krom;
- (j) **Ordering** his subordinates earlier in the DK period to send captured Vietnamese to him in Kampong Som for execution at the Durian plantations;
- (k) **Ordering** his subordinates later in the DK period to execute Vietnamese on the islands on which they were captured;
- (l) **Reporting** to the Standing Committee the success of his results in persecuting and executing Vietnamese; and
- (m) **Ordering** the arrest and transfer of 194 Vietnamese deemed to be enemies to S-21 for the purpose of imprisonment in inhumane conditions, torture and execution.

Of Thais and Westerners⁴²⁵⁴

- (a) **Ordering** the execution of hundreds of Thai nationals in his area of responsibility;
- (b) **Ordering** on an ongoing basis that all foreign boats would be captured when they came into territorial waters;
- (c) **Reporting** to Son Sen on the arrest and interrogation of Thais;
- (d) **Ordering** the execution of Thais at Durian I;
- (e) **Ordering** the arrest and transfer of 58 Thais, including 8 Thais from the Toek Sap security centre who were deemed to be enemies, to S-21 for imprisonment in inhumane conditions, torture and execution;
- (f) **Ordering** the imprisonment and execution of two American soldiers on the Kampong Som mainland at Wat Enta Nhien security centre; and
- (g) **Ordering** the arrest and transfer of eight captured Westerners to S-21 for imprisonment, torture, interrogation, and execution.

In Connection with Crimes at the Wat Enta Nhien Security Centre⁴²⁵⁵

- (a) **Establishing and supervising** through effective control of his subordinates Wat Enta Nhien security centre where Division 164 soldiers and civilians, including women and

children, were imprisoned in grossly inhumane conditions: starved, tortured, shackled day and night, and forced to do agricultural work; many were executed because of their suspected enemy status;

- (b) **Instigating, planning, ordering and aiding and abetting** the arrest, imprisonment, inhumane treatment, torture, disappearance and execution of these individuals at Wat Enta Nhien by virtue of his effective control over his subordinates that operated this security centre and his intention to purge enemies both in and outside the RAK as well as his knowledge of the inhumane conditions existing at the security centre;
- (c) **Interrogating** and recording statements of prisoners and then sending them away; and
- (d) **Ordering** the detention and execution of two American soldiers who were captured on Koh Tang island and transferred to Wat Enta Nhien in 1975.

In Connection with Crimes at the Toek Sap Security Centre⁴²⁵⁶

- (a) **Establishing and supervising** through effective control of his subordinates, the Toek Sap security centre where Division 164 soldiers, Khmer Krom, and other civilians were imprisoned because they committed “wrongdoings” – and where they were shackled, interrogated, tortured, and received inadequate food, and were subjected to forced labour; many prisoners were killed at the durian and rambutan plantations at the site;
- (b) **Instigating, planning, ordering and aiding and abetting** the arrest, imprisonment, inhumane treatment, torture, disappearance and execution of these individuals at Toek Sap security centre by virtue of his effective control over his subordinates that operated this security centre and his intention to purge enemies both in and outside the RAK as well as his knowledge of the inhumane conditions existing at the security centre;
- (c) **Maintaining** communication with his subordinates at the security centre through meetings and reports and visits to the security centre; and
- (d) **Ordering** the transfer of 22 prisoners from Toek Sap to S-21 for imprisonment in inhumane conditions, torture and execution.

In Connection with Crimes at the S-21 Security Centre⁴²⁵⁷

- (a) **Instigating, planning, ordering and aiding and abetting** the arrest, transfer, imprisonment in inhumane conditions, torture, and execution of 707 individuals deemed as enemies to and at S-21 by virtue of his effective control over his subordinates, his working relationship with officials from S-21, his intention to purge enemies both in and outside the RAK as well as his knowledge of the criminal purpose of S-21;
- (b) **Collaborating** with Son Sen and Nuon Chea in decisions as to who would be sent to S-21 for imprisonment, torture, interrogation, and execution;
- (c) **Attending** meetings where he would receive information from S-21 representatives on the workings of S-21; and
- (d) **Using** confessions he received from S-21 to incite and encourage the search for enemies within the RAK ranks and to warn his troops of the consequences of involvement in enemy activity.

At All Places⁴²⁵⁸

- (a) **Failing** to prevent his subordinates in Division 164 and 117 who were physically perpetrating the arrest, imprisonment, inhumane treatment, torture, disappearance and execution of individuals deemed enemies of the CPK, from committing these crimes despite knowing these crimes were being perpetrated and despite his effective control over these subordinates; and
1124. **Failing** to punish his subordinates in Division 164 and 117 who had physically perpetrated the arrest, imprisonment, inhumane treatment, torture, disappearance and execution of individuals deemed enemies of the CPK, who had committed these crimes, despite knowing these crimes had been perpetrated and despite his effective control over these subordinates.

CONTRIBUTION TO THE ENSLAVEMENT AT WORKSITES⁴²⁵⁹

- (a) **Participating** in General Staff meetings with RAK Centre Division and Independent Regiment commanders where the CPK production policies and goals were discussed by Son Sen and in particular the goals to increase crop and infrastructure production rapidly;

- (b) **Supporting** publicly “*Angkar*’s new plans” with regard to production throughout the Kampong Som Sector;
- (c) **Implementing** infrastructure and production policies and targets in Kampong Som Sector which were unrealistic knowing they could only be achieved through the enslavement and the inhumane treatment of the population under his control;
- (d) **Reporting** to the Centre on the harsh working conditions at the worksites, including insufficiency of food leading to massive sickness and death of labourers at the worksites; and
- (e) **Reporting** to the Centre on his division’s progress through meetings, telegrams, and monthly reports.

In Connection with Crimes at the Ream Area Worksites⁴²⁶⁰

- (a) **Establishing and supervising** through effective control of his subordinates in Regiment 163 the Ream area worksites where demobilised Division 164 soldiers and civilians had to build dams, work in quarries, farm crop plantations, and conduct various work in rice fields where they were given insufficient food; died of starvation; or were killed at local execution sites where captured Thai and Vietnamese were also executed;
1125. **Instigating, planning, ordering and aiding and abetting** the arrest, imprisonment, enslavement, inhumane treatment, torture, disappearance, and execution of the individuals at the Ream area worksites by virtue of his effective control over his subordinates that operated these worksites, his intention to purge enemies both in and outside the RAK and meet unrealistic production targets as well as his knowledge of the inhumane conditions existing at the worksites;
- (b) **Ordering** arrests of specific individuals labelled as enemies at the worksites; and
 - (c) **Failing** to alleviate the inhumane conditions at the worksites after receiving reports from his subordinates on deaths arising out of those conditions.

In Connection with Crimes at the Stung Hav Worksites⁴²⁶¹

- (a) **Establishing and supervising** through effective control of his subordinates, worksites at Stung Hav where demobilised soldiers were required to perform back-breaking labour at the rock quarries, port and road, as well as farm diverse crops during which many of these labourers were arrested, tortured, disappeared and killed frequently because of their enemy status; and
- (b) **Instigating, planning, ordering and aiding and abetting** the arrest, imprisonment, enslavement, inhumane treatment, torture, disappearance, and execution of the individuals at Stung Hav worksites by virtue of his effective control over his subordinates that operated these worksites, his intention to purge enemies both in and outside the RAK and meet unrealistic production targets as well as his knowledge of the inhumane conditions existing at the worksites.

At All Places⁴²⁶²

- (a) **Failing** to prevent his subordinates in Division 164 who were physically perpetrating the enslavement, torture, disappearance, persecution, inhumane treatment, and execution of individuals deemed enemies of the CPK who were committing and were about to commit these crimes, despite knowing these crimes were being perpetrated and despite his effective control over these subordinates;
- (b) **Failing** to punish his subordinates in Division 164 who had physically perpetrated the enslavement, torture, disappearance, persecution, inhumane treatment, and execution of individuals deemed enemies of the CPK who had committed these crimes, despite knowing these crimes had been perpetrated and despite his effective control over these subordinates.

CONTRIBUTION TO THE FORCED MARRIAGES AND RAPES⁴²⁶³

- (a) **Establishing, ordering, facilitating and supervising** a system of forced marriages and coerced consummation of these marriages (rape) in Kampong Som Sector in order to increase the population in accordance with CPK policy through effective control of his subordinates within Division 164;

- (b) **Instigating, planning, ordering and aiding and abetting** forced marriages and rapes within those marriages between individuals living in the Kampong Som Autonomous Sector by virtue of his effective control over his subordinates that organised these forced marriages, his intention to follow the CPK policy of increasing the population of DK rapidly as well as his knowledge of the coercive atmosphere that existed out of fear of extreme punishment if a person did not follow an order of the CPK;
- (c) **Instructing** his subordinates on the CPK forced marriage policy;
- (d) **Ordering** his subordinates to organise forced marriages for Division 164 soldiers;
- (e) **Ordering**, reviewing and authorising forced marriages in Division 164;
- (f) **Allowing** forced marriages to be held at his residence;
- (g) **Punishing** individuals who refused to marry when requested;
- (h) **Failing to prevent** his subordinates in Division 164 who were physically perpetrating forced marriages and rapes within those marriages between individuals living in the Kampong Som Autonomous Sector, who were committing and were about to commit these crimes, despite knowing these crimes were being perpetrated and despite his effective control over these subordinates; and
- (i) **Failing to punish** his subordinates in Division 164 who had perpetrated the forced marriages and rapes within those marriages between individuals living in the Kampong Som Autonomous Sector, despite knowing these crimes had been perpetrated and despite his effective control over his subordinates who had committed these crimes.

1126. **Meas Muth**'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.

1127. The following facts constitute additional evidence of **Meas Muth**'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:

- (1) his acceptance of and participation in assignments, senior positions and roles which enabled him to participate in the joint criminal enterprise;

- (2) his actions in encouraging the crimes together with his co-perpetrators and furthering their commission, through the contributions described above;
- (3) his speeches and statements during the DK period, including those in which he stated that the RAK was plagued by internal, hidden “enemies” whose presence made necessary widespread arrests and executions and the denial of fundamental rights to all other members of the population;
- (4) his contributions in disseminating and supporting CPK publications (including statements in the *Revolutionary Flag* magazine);
- (5) his statements during political indoctrination and tempering of CPK cadres;
- (6) his speeches and statements encouraging the commission of the crimes and defending CPK’s policies during the DK regime, in which he repeatedly expressed support for and called on cadres to enforce and implement them;
- (7) his acceptance of CPK propaganda with which he agreed and which he supported;
- (8) his failure to act to prevent or punish his subordinates from committing these crimes throughout the DK period; and
- (9) his actions, writings, and statements, including those in which he sought to prevent the discovery of the crimes and his attempts to justify them.

2. PLANNING, INSTIGATING, ORDERING, AND AIDING AND ABETTING⁴²⁶⁴

1128. In addition to his liability for committing the crimes charged *via* a joint criminal enterprise, **Meas Muth** is also liable for planning, instigating, ordering, and aiding and abetting the crimes charged.

1129. **Meas Muth planned** the crimes enumerated in this Submission. Given his role in the Central Committee, General Staff, and at the Division and Sector levels, **Meas Muth** had the power to design and/or participate in designing how central CPK policies were implemented. His involvement in the design and formulation of the regional implementation of the CPK’s national policies substantially contributed to the commission of crimes by the RAK Centre units, including Divisions 164 and 117. **Meas Muth** 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.

1130. **Meas Muth 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. **Meas Muth'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.

1131. **Meas Muth ordered** the crimes detailed in this Submission. In accordance with his positions of authority, **Meas Muth** formulated and issued orders and instructions to CPK cadres to commit the crimes. **Meas Muth** 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 and RAK structure, **Meas Muth** knew that he possessed the power to induce lower-level cadres to act.

1132. **Meas Muth aided and abetted** the crimes. He did so by providing encouragement, lending moral support and giving practical assistance to RAK troops and CPK cadres who committed them. His encouragement, moral support and practical assistance had a substantial effect on the commission of the crimes. **Meas Muth** knew, given his positions of authority and the CPK's and RAK'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. **Meas Muth** 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.

3. SUPERIOR RESPONSIBILITY

1133. Further, and in the alternative, **Meas Muth** 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.

1134. Superior-subordinate relationships existed between **Meas Muth** and all RAK members and CPK cadres who were directly involved in the crimes described in this Submission in all locations except for S-21. While some of these relationships may have been indirect or *de facto*, **Meas Muth** was the superior of these individuals due to his effective control over them as a senior military and sector leader. **Meas Muth** 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 Division 164 and 117 cadres and appointment of officers and cadres.⁴²⁶⁵

1135. **Meas Muth** had actual knowledge of the crimes being committed by his subordinates, evidenced by his role in devising the RAK and Kampong Som Sector 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. **Meas Muth** failed to take any measures to prevent or punish these crimes, despite his capacity to do so.⁴²⁶⁶

XIV. CHARGES

1136. 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 **Meas Muth** and send him for trial on the charges listed below.

- (1) **Count 1 – Murder:** Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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. **Meas Muth** acted with the intent to kill or with the awareness of the substantial likelihood that death would result from his actions. In addition, **Meas Muth** had effective control over

the perpetrators of this crime in all locations except for S-21, **Meas Muth** 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. He is therefore responsible as a superior. **Meas Muth** is responsible for murder at the following locations:

- (a) S-21 Security Centre (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
- (b) Wat Enta Nhien Security Centre;
- (c) Toek Sap Security Centre;
- (d) In the waters and on islands claimed by Democratic Kampuchea;
- (e) Stung Hav Worksites;
- (f) The Ream Area Worksites and Execution Sites, including Durian I, Durian II, and C.I.; and,
- (g) Other areas connected to the purges of Divisions 164 and 117, and Sector 505.

- (2) **Count 2 – Extermination:** Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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. These killings took place on a vast scale at locations that were part of an organised system of worksites, security centers, and execution sites. **Meas Muth** intended to kill a massive number of people deemed “enemies” of the regime, including those associated with the former Khmer Republic regime, Vietnamese or those perceived to be Vietnamese, other foreigners in Cambodia, and all those suspected by the regime of potential political disloyalty (particularly cadres in the RAK, but also including civilians). In addition, **Meas Muth** had effective control over the perpetrators of this crime in all locations except for S-21, 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. He is therefore responsible as a superior. These killings attributable to **Meas Muth** and his subordinates occurred at the following worksites, security centres, and execution sites, which were part of a single, interconnected, and organised system:

- (a) S-21 Security Centre (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
- (b) Wat Enta Nhien Security Centre;
- (c) Toek Sap Security Centre;
- (d) In the waters and on islands claimed by Democratic Kampuchea;
- (e) The Ream Area Worksites and Execution Sites, including Durian I, Durian II, and C.I.; and,
- (f) Other areas connected to the purges of Divisions 164 and 117, and Sector 505.

- (3) **Count 3 – Genocide**: From at least early 1977 until 6 January 1979, **Meas Muth**, 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, by killing Vietnamese with the intent to destroy, in whole or in part, the Vietnamese as a national, ethnic, or racial group in Cambodia. Persons of real or perceived Vietnamese race, ethnicity and/or nationality encountered by forces under the command of **Meas Muth** in the waters and on islands claimed by Democratic Kampuchea, including Koh Tral and Koh Poulo Wai, and/or on the Cambodian mainland, were captured and killed, or transferred to S-21 Security Centre with the knowledge and intent that they would subsequently be killed. In addition, other than at S-21, **Meas Muth** had effective control over the perpetrators of this crime, he 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. He is therefore responsible as a superior.

- (4) **Count 4 – Imprisonment:** Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 a justifiable basis and without due process of law. In addition, **Meas Muth** had effective control over the perpetrators of this crime in all locations except for S-21, he 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 crimes or to punish the perpetrators. He is therefore responsible as a superior. **Meas Muth** is responsible for imprisonment at the following locations:

- (a) S-21 Security Centre (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
- (b) Wat Enta Nhien Security Centre;
- (c) Toek Sap Security Centre;
- (d) Stung Hav Worksites;
- (e) The islands claimed by Democratic Kampuchea; and,
- (f) Kratie.

- (5) **Count 5 – Torture:** Between 17 April 1975 and 6 January 1979, **Meas Muth**, acting individually and in concert with other DK and CPK public officials, 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, by intentionally inflicting severe physical or mental pain or suffering on the victims described in this Submission. In addition, **Meas Muth** had effective control over the

perpetrators of this crime in all locations except for S-21, he 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. He is therefore responsible as a superior. **Meas Muth** is responsible for torture at the following locations:

- (a) S-21 Security Centre (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
- (b) Wat Enta Nhien Security Centre;
- (c) Toek Sap Security Centre; and,
- (d) Stung Hav Worksites.

(6) **Count 6 – Enslavement:** Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 intentionally exercising powers of ownership over the victims described in this Submission. In addition, **Meas Muth** had effective control over the perpetrators of this crime, he 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. He is therefore responsible as a superior. **Meas Muth** is responsible for enslavement at the following locations:

- (a) Stung Hav Worksites; and,
- (b) Ream Area Worksites.

(7) **Count 7 – Persecution on Political Grounds:** Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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, by discriminatorily

denying or infringing upon fundamental rights of persons deemed political “enemies”. In addition, **Meas Muth** had effective control over the perpetrators of this crime in all locations except for S-21, he 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. He is therefore responsible as a superior. **Meas Muth** is responsible for persecution on political grounds of persons deemed political enemies at the following locations:

- (a) S-21 Security Centre (through the underlying offences of murder, extermination, imprisonment, torture, and other inhumane acts (inhumane treatment and enforced disappearances)) (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
- (b) Wat Enta Nhien Security Centre (through the underlying offences of murder, extermination, imprisonment, torture, and other inhumane acts (inhumane treatment and enforced disappearances));
- (c) Toek Sap Security Centre (through the underlying offences of murder, extermination, imprisonment, torture, and other inhumane acts (inhumane treatment and enforced disappearances));
- (d) Stung Hav Worksites (through the underlying offences of murder, extermination, imprisonment, torture, enslavement, and other inhumane acts (inhumane treatment and enforced disappearances));
- (e) In the waters and on islands claimed by Democratic Kampuchea (through the underlying offences of murder, extermination, imprisonment, and other inhumane acts (inhumane treatment and enforced disappearances));
- (f) The Ream Area Worksites and Execution Sites, including Durian I, Durian II, and C.I. (through the underlying offences of murder, extermination, enslavement, and other inhumane acts (inhumane treatment and enforced disappearances)); and,

- (g) Other areas connected to the purges of Division 164, 117, and Sector 505 (through the underlying offences of murder, extermination, imprisonment, and other inhumane acts (inhumane treatment and enforced disappearances)).

(8) **Count 8 – Other Inhumane Acts (Inhumane Treatment)**: Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 ACT of INHUMANE TREATMENT, a CRIME AGAINST HUMANITY, punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law, by deliberate inhumane treatment of prisoners and workers at the sites listed below, which caused serious mental or physical suffering or injury, or seriously attacked their human dignity. In addition, **Meas Muth** had effective control over the perpetrators of this crime in all locations except for S-21, he knew or had reason to know that his subordinates were about to commit the crime of other inhumane acts through inhumane treatment or had done so, and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators. He is therefore responsible as a superior. **Meas Muth** is responsible for the other inhumane act of inhumane treatment at the following locations:

- (a) S-21 Security Centre (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
- (b) Wat Enta Nhien Security Centre;
- (c) Toek Sap Security Centre;
- (d) Stung Hav Worksites;
- (e) In the waters and on islands claimed by Democratic Kampuchea;
- (f) Ream Area Worksites; and,
- (g) Other areas in relation to the purges of Divisions 164 and 117, and Sector 505.

- (9) **Count 9 – Other Inhumane Acts (Enforced Disappearances)**: Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 ACT of ENFORCED DISAPPEARANCE, 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, **Meas Muth** had effective control over the perpetrators of this crime in all locations except for S-21, he 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. He is therefore responsible as a superior. **Meas Muth** is responsible for the other inhumane act of enforced disappearances at the following locations:
- (a) Wat Enta Nhien Security Centre;
 - (b) Toek Sap Security Centre;
 - (c) S-21 Security Centre (solely *via* JCE for RAK victims not sent by **Meas Muth** or his subordinates);
 - (d) In the waters and on islands claimed by Democratic Kampuchea;
 - (e) The Ream Area Worksites and Execution Sites, including Durian I, Durian II, and C.I.; and,
 - (f) Other areas in relation to the purges of Divisions 164 and 117, and Sector 505.
- (10) **Count 10 – Other Inhumane Acts (Forced Marriage)**: Between late 1975 and 6 January 1979, **Meas Muth**, 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, by compelling persons to marry by force, threat of force, or coercion in the Autonomous

Sector of Kampong Som and islands controlled by forces under the authority of **Meas Muth**. In addition, **Meas Muth** had effective control over the perpetrators of this crime, he knew or had reason to know that his subordinates were about to commit the crime of other inhumane acts through 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. He is therefore responsible as a superior.

- (11) **Count 11 – Other Inhumane Acts (Rape):** Between late 1975 and 6 January 1979, **Meas Muth**, 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, a CRIME AGAINST HUMANITY punishable under Articles 5, 29^{new}, and 39^{new} of the ECCC Law, by coercing one or both partners who had been compelled to consummate the marriage, in the Autonomous Sector of Kampong Som and islands controlled by forces under the authority of **Meas Muth**. In addition, **Meas Muth** had effective control over the perpetrators of this crime, he knew or had reason to know that his subordinates were about to commit the crime of other inhumane acts through rape or had done so, and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators. He is therefore responsible as a superior.
- (12) **Count 12 – Grave Breaches (Unlawful Confinement of a Civilian):** Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 UNLAWFUL CONFINEMENT OF A CIVILIAN, a GRAVE BREACH OF THE GENEVA CONVENTIONS punishable under Articles 6, 29^{new}, and 39^{new} of the ECCC Law, by confining civilians who were, or were perceived to be, affiliated with Vietnam, where there were no reasonable grounds to believe that the security of Democratic Kampuchea made it absolutely necessary. In addition, **Meas Muth** was the commander of and had effective control over the perpetrators of this crime in all locations except for S-21, he knew or had reason to know that his subordinates were about to commit the crime of unlawful confinement of a civilian or had done so, and he failed to take the necessary and reasonable measures to prevent such crime or to punish

the perpetrators. He is therefore responsible as a superior. **Meas Muth** is responsible for unlawful confinement of a civilian at the following locations:

- (a) S-21 Security Centre;
- (b) In the waters and on islands claimed by Democratic Kampuchea; and,
- (c) Toek Sap Security Centre.

- (13) **Count 13 – Grave Breaches (Wilful Killing)**: Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 WILFUL KILLING, a GRAVE BREACH OF THE GENEVA CONVENTIONS punishable under Articles 6, 29^{new}, and 39^{new} of the ECCC Law, by causing the death by act or omission of Vietnamese civilians and/or soldiers, or persons perceived to be affiliated with Vietnam. In addition, **Meas Muth** was the commander of and had effective control over the perpetrators of this crime in all locations except for S-21, he knew or had reason to know that his subordinates were about to commit the crime of wilful killing or had done so, and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators. He is therefore responsible as a superior. **Meas Muth** is responsible for wilful killing of individuals captured or detained at the following locations:

- (a) S-21 Security Centre;
- (b) Toek Sap Security Centre;
- (c) In the waters and on islands claimed by Democratic Kampuchea; and,
- (d) Durian I Execution Site.

- (14) **Count 14 – Grave Breaches (Wilfully Causing Great Suffering or Serious Injury to Body or Health)**: Between 17 April 1975 and 6 January 1979, **Meas Muth**, 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 WILFULLY CAUSING GREAT


SUFFERING OR SERIOUS INJURY TO BODY OR HEALTH, a GRAVE BREACH OF THE GENEVA CONVENTIONS punishable under Articles 6, 29^{new}, and 39^{new} of the ECCC Law, by causing great mental or physical suffering or serious injury to body or health, to Vietnamese civilians and soldiers, or persons perceived to be affiliated with Vietnam. In addition, **Meas Muth** was the commander of and had effective control over the perpetrators of this crime in all locations except for S-21, he knew or had reason to know that his subordinates were about to commit the crime of willfully causing great suffering or serious injury to body or health or had done so, and he failed to take the necessary and reasonable measures to prevent such crime or to punish the perpetrators. He is therefore responsible as a superior. **Meas Muth** is responsible for wilfully causing great suffering or serious injury to body or health to individuals detained at the following locations:

- (a) S-21 Security Centre;
- (b) Toek Sap Security Centre; and,
- (c) In the waters and on islands claimed by Democratic Kampuchea.

- (15) **Count 15 – Grave Breaches (Torture):** Between 17 April 1975 and 6 January 1979, **Meas Muth**, acting individually and in concert with other DK and CPK public officials, 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 GRAVE BREACH OF THE GENEVA CONVENTIONS punishable under Articles 6, 29^{new}, and 39^{new} of the ECCC Law, by inflicting severe pain or suffering on Vietnamese soldiers or civilians, or persons perceived to be affiliated with Vietnam. In addition, **Meas Muth** was the commander of and had effective control over the perpetrators of this crime in all locations except for S-21, he 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. He is therefore responsible as a superior. **Meas Muth** is responsible for torture of individuals detained at the following locations:

- (a) S-21 Security Centre; and,
- (b) In the waters and on islands claimed by Democratic Kampuchea.

Respectfully submitted,

Date	Name	Place	Signature
14 November 2017	Nicholas KOUMJIAN International Co-Prosecutor	Phnom Penh	

- ¹ **D1** Co-Prosecutors' Second Introductory Submission Regarding the Revolutionary Army of Kampuchea, 20 Nov 2008 ("Second Introductory Submission"), para. 7.
- ² **D1** Second Introductory Submission.
- ³ Case 002-**D3** Introductory Submission, 18 Jul 2007. *Note:* the first Introductory Submission was filed in Case 002 and requested an investigation into crimes allegedly committed by Nuon Chea, Ieng Sary, Khieu Samphan, Ieng Thirith and Kaing Guek Eav alias Duch.
- ⁴ Extraordinary Chambers in the Courts of Cambodia, Internal Rules (Rev. 9), as revised on 16 Jan 2015 ("Rule" or "Rules"), Rule 71.
- ⁵ **D1/1.3** Considerations of the Pre-Trial Chamber Regarding the Disagreement between the Co-Prosecutors Pursuant to Internal Rule 71, 18 Aug 2009, para. 45; Rule 71(4)(c). *See also* Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for Prosecution of Crimes Committed During the Period of Democratic Kampuchea, 10 Aug 2001, with inclusion of amendments as promulgated on 27 Oct 2004 (NS/RKM/1004/006), ("ECCC Law"), art. 20 *new*.
- ⁶ **D1/1** Acting International Co-Prosecutor's Notice of Filing of the Second Introductory Submission, 7 Sep 2009.
- ⁷ **D1/2/1** Response of International Co-Prosecutor to Request for Clarification, 16 Feb 2011, paras 2, 3.
- ⁸ **D120** International Co-Prosecutor's Supplementary Submission Regarding Crime Sites Related to Case 003, 31 Oct 2014.
- ⁹ **D1** Second Introductory Submission.
- ¹⁰ ECCC Press Release, *Dr. Siegfried Blunk Appointed as New International Co-Investigating Judge*, 1 Dec 2010; ECCC Press Release, *Press Release by the International Co-Investigating Judge*, 10 Oct 2011.
- ¹¹ ECCC Press Release, *Statement by the International Reserve Co-Investigating Judge*, 9 Feb 2012.
- ¹² ECCC Press Release, *Press Release from the International Reserve Co-Investigating Judge*, 19 Mar 2012.
- ¹³ ECCC Press Release, *Mark Harmon Sworn in as International Co-Investigating Judge*, 26 Oct 2012.
- ¹⁴ ECCC Press Release, *Judge Harmon Announces his Resignation*, 7 Jul 2015; ECCC Press Release, *Appointment of New International Co-Investigating Judge and Reserve*, 24 Aug 2015.

- D13** Notice of Conclusion of Judicial Investigation, 29 Apr 2011.
- D16** ECCC Press Release, *Statement by the International Co-Prosecutor Regarding Case File 003*, 9 May 2011. Note that the ICP was ordered to retract his statement in **D14** Order on International Co-Prosecutor's Public Statement Regarding Case File 003, 18 May 2011. The ICP appealed the CIJs' order (*see D14/1/1* International Co-Prosecutor's Appeal Against the 'Order on International Co-Prosecutor's Public Statement Regarding Case File 003', 25 May 2011), but the order was allowed to stand because the PTC did not reach a supermajority on the issue (*see D14/1/3* Considerations of the Pre-Trial Chamber Regarding the International Co-Prosecutor's Appeal Against the Co-Investigating Judges' Order on International Co-Prosecutor's Public Statement Regarding Case 003, 24 Oct 2011). The ICP then retracted his statement in ECCC Press Release, *Statement by the International Co-Prosecutor Regarding the Co-Investigating Judges' Retraction Order in Case 003*, 27 Oct 2011.
- D17** International Co-Prosecutor's First Case File 003 Investigative Request to Admit Additional Documents and Observations on the Status of the Investigation, 18 May 2011; **D18** International Co-Prosecutor's Second Request for Further Investigative Action Regarding Sou Met and Related Crime Sites, 18 May 2011; **D19** International Co-Prosecutor's Third Investigative Request Regarding Meas Mut and Related Crime Sites, 18 May 2011. The requests were rejected on a procedural deficiency in **D20/3** OCIJ Decision on Time Extension Request and Investigative Requests by the International Co-Prosecutor Regarding Case 003, 7 Jun 2011 ("OCIJ Rejection Decision"). They were re-filed by the ICP after remedying the alleged procedural deficiency: **D22** International Co-Prosecutor's First Case File 003 Investigative Request to Admit Additional Documents and Observations on the Status of the Investigation, 10 Jun 2011; **D23** International Co-Prosecutor's Second Request for Further Investigative Action Regarding Sou Met and Related Crime Sites, 10 Jun 2011; **D24** International Co-Prosecutor's Third Investigative Request Regarding Meas Mut and Related Crime Sites, 10 Jun 2011. These requests were also rejected by the CIJs, this time on the basis of personal jurisdiction: *see D26* Decision on International Co-Prosecutor's Re-Filing of Three Investigative Requests in Case 003, 27 Jul 2011.
- D20/4/1** International Co-Prosecutor's Appeal Against the 'Decision on Time Extension Request and Investigative Requests by the International Co-Prosecutor Regarding Case 003', 7 Jul 2011, particularly para. 75; **D26/1/1** International Co-Prosecutor's Appeal Against the 'Decision on International Co-Prosecutor's Re-Filing of Three Investigative Requests in Case 003', 26 Aug 2011.
- D20/4/4** Considerations of the Pre-Trial Chamber Regarding the International Co-Prosecutor's Appeal Against the Decision on Time Extension Request and Investigative Requests Regarding Case 003, 2 Nov 2011; **D26/1/3** Considerations of the Pre-Trial Chamber Regarding the International Co-Prosecutor's Appeal Against the Decision on Re-Filing of Three Investigative Requests, 15 Nov 2011.
- D28** Order on Resuming the Judicial Investigation, 2 Dec 2011, para. 8.
- D28** Order on Resuming the Judicial Investigation, p. 9: Disposition.
- D2** Rogatory Letter, 9 Jun 2010. *See also D20/3* OCIJ Rejection Decision, para. 6(ii) referencing the recording of the disagreement about the letter.
- D1/2** Request for Clarification in Case 003, 8 Feb 2011. *See also D20/3* OCIJ Rejection Decision, para. 6(iii) referencing the recording of the disagreement about the letter.
- D53/2** Decision by the International Co-Investigating Judge to Place Case No. 002 Transcripts on the Case File, 7 Feb 2013 ("ICIJ Transcript Decision"), para. 10.
- D52** Forwarding Order, 7 Feb 2013; ECCC Press Release, *Statement from the Co-Investigating Judges related to Case 003 Requests from the International Co-Prosecutor*, 7 Jun 2011.
- D53/2** ICIJ Transcript Decision, paras 9, 12; ECCC Press Release, *Statement from the Co-Investigating Judges related to Case 003 Requests from the International Co-Prosecutor*, 7 Jun 2011.
- D53/2** ICIJ Transcript Decision, para. 17; **D54** Rogatory Letter, 7 Feb 2013; **D55** Rogatory Letter, 7 Feb 2013.
- D52/1** International Co-Prosecutor's Response to Forwarding Order of 7 February 2013, 8 Feb 2013, paras 3-7.
- ECCC Press Release, *Statement by the Co-Investigating Judges Regarding Case 003*, 28 Feb 2013.
- D63** Co-Prosecutors' Request for Clarification Concerning the Current Status of the Case File, 11 Apr 2013, paras 4, 10.
- D82/3** Notification Concerning Suspect's Requests to Access the Case File and Participate in the Judicial Investigation (D82) and the Full Introductory Submission and Supporting Material (D82/2), 10 Jul 2014, p. 2.

D82/3/1 Letter Requesting for Information Concerning Disagreements Recorded on 7 February 2013 and 22 February 2013, 17 Jul 2014.

D82/3/2 ICIJ's Response to Letter Requesting for Information Concerning Disagreements Recorded on 7 February 2013 and 22 February 2013, 22 Jul 2014.

A66 Summons to Initial Appearance, 26 Nov 2014, p. 1; **D82/5** Notification on Suspect's Requests to Access the Case File, Take Part in the Judicial Investigation, and to Strike ICP's Submissions, 28 Nov 2014, para. 10. *See, e.g., D236* Decision on Civil Party Lawyers' Requests for Extension of Deadline, 20 Feb 2017, para. 1; **D256/3** Decision on Schedule of Prosecution's Final Submission and Defence Response, 4 Sep 2017, para. 1.

A1 DSS Letter on Defence Rights in Cases 003 and 004, 29 Jul 2010; **A1/1** Follow-up to DSS Letter on Defence Rights in Cases 003 and 004, 20 Sep 2010.

A1/2 Response of the CIJs Relating to Defence Rights in Case File 003 and 004, 23 Sep 2010.

A2 Notification of Assignment – Cases 003 and 004, 11 Feb 2011 [counsel was assigned on 8 November 2010].

D3 Request for Access to Case Files 003 and 004, 14 Feb 2011.

D3/1 Decision on Request for Access to Case Files 003 and 004, 5 Apr 2011; *see also D3/2/1* Order on Motion for Reconsideration of the Decision on the Defence Request for Access to Case Files 003 and 004 Dated 5 April 2011, 19 May 2011.

D30 Notification of Suspect's Rights [Rule 21(1)(D)], 24 Feb 2012 [regarding Meas Muth]; **D31** Notification of Suspect's Rights [Rule 21(1)(D)], 24 Feb 2012 [regarding Sou Met].

ECCC Press Release, *Mr. Ang Udom and Mr. Michael G. Karnavas Assigned as Defence Counsel to Represent a Suspect in Case 003*, 14 Dec 2012.

D56 DSS Letter to the CIJs on the Assignment of Co-Lawyers to Represent Mr. Meas Muth, a Suspect in Case 003, 18 Dec 2012.

D56/1 International Co-Prosecutor's Request that Appointment of Co-Lawyers-Designate be Rejected on the Basis of Irreconcilable Conflicts of Interest, 24 Dec 2012.

D56/19/36 Decision on Meas Muth's Appeal Against the International Co-Investigating Judge's Decision Rejecting the Appointment of Ang Udom and Michael Karnavas as his Co-Lawyers, 30 Jun 2014. *See also D56/19/38* Decision on Meas Muth's Appeal Against the International Co-Investigating Judge's Decision Rejecting the Appointment of Ang Udom and Michael Karnavas as his Co-Lawyers, 17 Jul 2014 [providing the Chamber's reasoning].

D86/3 Dismissal of Allegations against Sou Met, 2 Jun 2015.

A66 Summons to Initial Appearance, 26 Nov 2014; *see also A66/1* Written Record of Service of Summons, 5 Dec 2014 [documenting that the summons was served on Meas Muth on 28 Nov 2014].

A67/1.1 Notice of Non-Recognition of Summons, 2 Dec 2014 [refusing to recognise the validity of a summons signed by the ICIJ but not the NCIJ, and insisting his lawyers be granted access to the Case File].

D117/1/1/2 Decision on Meas Muth's Appeal Against the International Co-Investigating Judge's Order on Suspect's Request Concerning Summons Signed by One Co-Investigating Judge, 3 Dec 2014, para. 16 [dismissing Meas Muth's appeal and recalling that a single CIJ can issue a summons for the purpose of charging so long as the disagreement procedure set out in the Internal Rules is followed].

C1 Arrest Warrant, 10 Dec 2014.

A77 Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of Summons to Initial Appearance, 15 Dec 2014.

A77/1 Decision on Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of Summons to Initial Appearance, 19 Dec 2014, paras 14-16, 22 [Meas Muth had been informed that if charged at the end of his initial appearance, he would be able to exercise all of the rights to which charged persons are entitled, but he had knowingly and wilfully violated a legally binding order and was not currently a party to the case (only a suspect) due to his obstruction of the procedure that would have eventuated in granting him full rights].

A77/1/1/1 Meas Muth's Appeal Against Co-Investigating Judge Harmon's Denial of his Application to Seize the Pre-Trial Chamber with a Request for Annulment of Summons to Initial Appearance, 14 Jan 2015.

A77/1/1/2 Considerations of the Pre-Trial Chamber on Meas Muth's Appeal Against Co-Investigating Judge Harmon's Denial of His Application to Seize the Pre-Trial Chamber with a Request for Annulment of Summons to Initial Appearance, 24 Feb 2015, paras 24-25, Disposition.

D127 ICIJ's Letter to H.E. Mr. Em Sam An (Secretary of State and Chairman of the Security Commission for the ECCC), 30 Jan 2015.

- 57 **D128** Decision to Charge Meas Muth *in Absentia*, 3 Mar 2015; **D128.1** Annex: Notification of Charges Against Meas Muth, 3 Mar 2015.
- 58 **D128** Decision to Charge Meas Muth *in Absentia*, paras 68, 72, 76.
- 59 **D128/1/3** Meas Muth's Appeal Against Co-Investigating Judge Harmon's Decision to Charge Meas Muth *in Absentia*, 16 Jun 2015 [submitting that Judge Harmon acted *ultra vires* the ECCC's legal framework for CIJs to jointly conduct investigations and that the unilateral act violated Meas Muth's fair trial rights]. *See also* **D128/1/9** Considerations on Meas Muth's Appeal against Co-Investigating Judge Harmon's Decision to Charge Meas Muth *in Absentia*, 30 Mar 2016 [failing to reach an affirmative vote].
- 60 **D128.1/1/3** Meas Muth's Appeal Against Co-Investigating Judge Harmon's Notification of Charges Against Meas Muth, 12 Jun 2015 [challenging the ECCC's jurisdiction over grave breaches, national crimes, joint criminal enterprise, and command responsibility].
- 61 **D130** Meas Muth's Request to Rescind the Arrest Warrant Issued on 10 December 2014, 10 Mar 2015.
- 62 **C2** Arrest Warrant, 4 Jun 2015. *See also* **D130/3** ICIJ's Response to Meas Muth's Request to Rescind the Arrest Warrant Issued on 10 December 2014, 4 Jun 2015, para. 4; **C2.1** Letter from ICIJ to the Judicial Police: New Arrest Warrant for Immediate Execution, 4 Jun 2015.
- 63 **C2/1** Meas Muth's Urgent Request for a Stay of Execution of the Arrest Warrant Issued on 4 June 2015 by Co-Investigating Judge Harmon Pending a Decision on the Appeal against Co-Investigating Judge Harmon's Decision to Charge Meas Muth *in Absentia*, 5 Jun 2015. *See also* **C2/2** International Co-Prosecutor's Response to Meas Muth's Urgent Request for a Stay of Execution of the Arrest Warrant Issued on 4 June 2015 by Co-Investigating Judge Harmon Pending a Decision on the Appeal Against Co-Investigating Judge Harmon's Decision to Charge Meas Muth *in Absentia*, 22 Jun 2015; **C2/3** Meas Muth's Reply to International Co-Prosecutor's Response to Meas Muth's Request for a Stay of Execution of the Arrest Warrant issued on 4 June 2015 by Co-Investigating Judge Harmon Pending a Decision on the Appeal Against Co-Investigating Judge Harmon's Decision to Charge Meas Muth *in Absentia*, 29 Jun 2015.
- 64 **C2/4** Considerations of the Pre-Trial Chamber on Meas Muth's Urgent Request for a Stay of Execution of Arrest Warrant, 23 Sep 2015, paras 11-12, Disposition.
- 65 **D174** Written Record of Initial Appearance, 14 Dec 2015.
- 66 **D174** Written Record of Initial Appearance.
- 67 **D174** Written Record of Initial Appearance, p. 10. *See also* **D128.1/1/11** Decision on Meas Muth's Appeal Against Co-Investigating Judge Harmon's Notification of Charges Against Meas Muth, 3 Feb 2016.
- 68 **D174** Written Record of Initial Appearance, p. 11.
- 69 **D174** Written Record of Initial Appearance, p. 10.
- 70 **D174/1/1** Meas Muth's Appeal Against the International Co-Investigating Judge's Decision to Charge Meas Muth with Grave Breaches of the Geneva Conventions and National Crimes and to Apply JCE and Command Responsibility, 6 Jan 2016.
- 71 **D174/1/4** Considerations on Meas Muth's Appeal Against the International Co-Investigating Judge's Decision to Charge Meas Muth with Grave Breaches of the Geneva Conventions and National Crimes and to Apply JCE and Command Responsibility, 27 Apr 2016, para. 24.
- 72 **(1): D87/2/1.6** Meas Muth's Request to be Provided with Correspondence from the Head of the OCIJ Legal Unit to the United Nations Secretary General and all Related Material and to Have This Material Placed on the Case File, 9 Oct 2013 [requesting to be provided with a copy of a letter reportedly sent by the head of the OCIJ Legal Unit to the UN Secretary-General concerning the closure of the Case 003 investigation and all related material, and requesting that this material be placed on the Case File in order to determine if the integrity of the judicial investigation was compromised and if improper judicial interference had occurred], decided by **D87/2/1.6/1** Decision on Meas Muth's Request to be Provided with Correspondence from the Head of the OCIJ Legal Unit to the United Nations Secretary General and all Related Material, 12 Jan 2016 [rejecting the request because it is the impartiality and independence of the CIJs, not of their staff, that are relevant; the letter and any other related materials are not relevant to ascertaining the truth in the Case 003 investigation]; **(2): D87/2/1.8** Meas Muth's Request for the OCIJ to Place Full Transcripts of All Witness Interviews on the Case File, 17 Oct 2013 [requesting that the full transcripts of witness interviews be provided to the Defence and placed on the Case File as summary witness statements are unreliable and it is time-consuming to listen to audio recordings], decided by **D87/2/1.8/1** Decision on Meas Muth's Request to Place Full Transcripts of all Witness Interviews on the Case File, 26 Jan 2016 [rejecting the request because while some discrepancies may exist between the audio recording and witness summary, that does not in and of itself indicate that the evidence has been misrepresented, nor does it warrant the wholesale transcription

and translation of all audio-recordings of interviews on the Case File]; **(3): D87/2/1.14** Meas Muth's Request for the OCIJ to Re-Interview Witnesses, 24 Oct 2013 [asking the OCIJ to examine all witnesses on the Case File, determine which witnesses might need to be re-interviewed due to deficiencies in their original interviews, conduct such interviews, and place the results of the analysis on the Case File], decided by **D87/2/1.14/1** Decision on Meas Muth's Request for the OCIJ to Re-Interview Witnesses, 22 May 2015 [denying the request for failing to meet the precision and *prima facie* relevance criteria but instructing the Defence to review the Case File (to which it now has access) and should it be deemed necessary to re-interview any of the witnesses, file a new request that satisfies these requirements]; **(4): D159** Meas Muth's Request that OCIJ Investigators Re-Interview Certain Witnesses, 6 Oct 2015 [requesting that the OCIJ re-interview 104 witnesses, audio record the interviews, and create written records of these interviews, or alternatively, review the WRIs of the relevant witnesses to determine whether re-interview was necessary], decided by **D159/1** Decision on Meas Muth's Request that OCIJ Investigators Re-Interview Certain Witnesses, 15 Oct 2015 [denying the request, stating that the prior granting of a request to record all interviews going forward did not render the previous practice of not recording the interviews unlawful or otherwise invalid, and declaring that a review exercise of all WRIs was not necessary]; **(5): D160** Meas Muth's Request that the Co-Investigating Judges Order their Investigative Staff to Obtain Copies of Audio/Video Recordings of DC-Cam Interviews and Place These Recordings on the Case File, 7 Oct 2015 and **D160/1** Meas Muth's Request that Annex B of Meas Muth's Request that the Co-Investigating Judges Order their Investigative Staff to Obtain Copies of Audio/Video Recordings of DC-Cam Interviews and Place these Recordings on the Case File (D160) be Replaced by the Attached Revised Annex B, 20 Oct 2015, decided by **D160/2** Decision on Meas Muth's Request that the Co-Investigating Judges Order their Investigative Staff to Obtain Copies of Audio/Video Recordings of DC-Cam Interviews and Place These Recordings on the Case File, 29 Oct 2015 [granting the request to place recordings of DC-Cam interviews on the Case File, giving priority to the interviews listed in Revised Annex B]; **(6): D162** Meas Muth's Request that the D114/128 and D114/129 Witnesses be Re-Interviewed with Audio Recordings and that the Audio Recording of the D114/130 Witness Interview be Placed on the Case File, 8 Oct 2015 [requesting that two interviews be reconducted, recorded, and placed on the case file because they did not comply with the new procedure set out by the ICIJ to record interviews, and also requesting that the audio recording for another interview be added to the Case File], decided by **D162/1** Decision on Meas Muth's Request for the Re-Interview of Two Witnesses with Audio Recordings and Placement of the D114/130 Audio Recording on the Case File, 21 Jan 2016 [denying the request in part because the investigator was already in the field on mission when the instructions were issued and had no access to an audio recording device, and dismissing the remainder of the request as moot because the audio recordings were placed on the Case File after the request was filed]; **(7): D170** Meas Muth's Request to Obtain and Place on the Case File the United Nations and Royal Government of Cambodia Archive Material Concerning the Negotiations to Establish the ECCC, 10 Nov 2015 [requesting that the CIJs obtain and place on the Case File the UN and RGC's archival material concerning the negotiations to establish the ECCC and the drafting of the Establishment Law], decided by **D181/1** Notice of Unsuccessful Attempt to Obtain Strictly Confidential United Nations' Archive Materials, 3 May 2016 [notifying that attempts were unsuccessful to obtain strictly confidential documents from the UN archives because they were considered to be sensitive documents that could not be disclosed] and **D181/2** Notice of Placement on the Case File of Available Records Relating to the Establishment of the ECCC, 8 Sep 2016 [placing 34 documents on the Case File that contain references to the intended scope of the ECCC's personal jurisdiction]; **(8): D177** Meas Muth's Request for the Co-Investigating Judges to Conduct Site Visits, 31 Dec 2015 [requesting that site visits be arranged for all alleged crime sites, with the presence of the parties and any relevant witnesses], decided by **D177/1** Decision on Meas Muth's Request for the Co-Investigating Judges to Conduct Site Visits, 19 Apr 2016 [denying the request because it lacked specificity and misconceived the purpose of onsite visits as a means of investigative action]; **(9): D192** Request that OCIJ Investigators be Directed to Provide Document Numbers for all Documents Shown to Witnesses and Civil Parties and to Attach to their Written Records of Interview those Documents not already on the Case File, 20 Apr 2016, decided by **D192/1** Decision on Meas Muth Defence Team's Request Regarding Documents shown to Witnesses and Civil Parties, 12 May 2016 [granting the request in part by clarifying four statements on the Case File that had been identified by the Defence but denying the request to conduct a full review of the Case File for other instances of omitted references to documents]; **(10): D191/16** Request that the Office of the Co-Investigating Judges Obtain English Translations of Three German Decisions from the Supreme Court of the British Occupied Zone and one Dutch Decisions from the Special Court of

Cassation, 3 Jun 2016 [requesting that the CIJs obtain accurate English translations of four cases from 1948 and 1949 in order to allow the Defence to respond to amicus curiae briefs referencing the decisions], decided by **D191/16/1** Order on Request to Obtain English Translations of Three German Decisions and One Dutch Decision, 21 Jun 2016 [denying the request and instructing the Defence to use the funds at their disposal to obtain the translation of the documents]; **(11): D206** Meas Muth's Request to be Provided with the Names and Associated Pseudonyms of All Case 002 Witnesses who have been Interviewed by the OCIJ in Case 003, 2 Aug 2016 [asking the CIJs to obtain from the Trial Chamber a list of the names of all witnesses who testified in Case 002 under pseudonym and also provide the names and associated pseudonyms of all such witnesses who have also given evidence in Case 003], decided by **D206/1** Decision on Request for Names and Pseudonyms of Case 002 Witnesses, 5 Aug 2016 [granting the request]; **(12): D215** Meas Muth's Request to be Provided with Updated List of the Names and Associated Pseudonyms of all Case 002 Witnesses who have been Interviewed by the OCIJ in Case 003, 18 Nov 2016, decided by **D215/1** Decision on Meas Muth's Request for Updated List of Names and Pseudonyms of Case 002 Witnesses, 14 Dec 2016 [granting the request]; **(13): D216** Meas Muth's Request for Investigative Action in Relation to Missing Site Identification Reports, 24 Nov 2016 [requesting that site identification reports referenced in a witness WRI be placed on the Case File: namely, the marine base in Ream and surrounding areas, the Durian plantation, the Au Chheu Teal beach, and the movie theatre in Preah Sihanoukville; alternatively, requesting that the CIJs explain why they cannot be placed there and place any notes made from members of the investigative team], decided by **D216/1** Decision on Meas Muth's Request Regarding Missing Site Identification Reports, 27 Dec 2016 [informing that the requested action was performed]; **(14): D227** Meas Muth's Request for Investigative Action Regarding D114/174, D114/184 and Related Witness Interviews and the Potential Use of Torture-Tainted Evidence, 25 Jan 2017 [requesting that the CIJs investigate the circumstances in which four witnesses came to the attention of the OCIJ, particularly whether they became known as the result of being listed in biographies completed at S-21 by cadres allegedly purged from Kratie, thereby constituting torture-tainted evidence], decided by **D251** Consolidated Decision on Meas Muth's Requests for Investigative Action Regarding Potential Use of Torture-Tainted Evidence, 24 May 2017 [holding that the absolute prohibition against the use of torture-tainted statements as evidence does not prevent the CIJs from using the content of S-21 confessions as investigative leads; three of the statements raise no issue, but one of the witness statements was not "objective information" and could fall under the presumption of torture and unreliability, so he will disregard answers 46 to the end of D114/171]; **(15): D229** Meas Muth's Request for Investigative Action Concerning an Unrecorded Interaction with a Witness & Request to Revise Written Record of Witness Interview, 26 Jan 2017 [requesting that the CIJs investigate an incident in which an OCIJ investigator may have influenced a witness's testimony and to revise the WRI to better reflect the testimony], decided by **D251** Consolidated Decision on Meas Muth's Requests for Investigative Action Regarding Potential Use of Torture-Tainted Evidence, 24 May 2017 [answering the Defence's specific queries and denying the request to revise the WRI because Meas Muth suffered no material prejudice as a result of the discrepancy]; **(16): D232** Meas Muth's Request to Provide Document Numbers of Certain Documents that OCIJ Investigators Showed to Witnesses, 7 Feb 2017 [requesting document numbers referenced in 13 specified WRIs], decided by **D232/1** Decision on Meas Muth's Request to Provide Document Numbers of Certain Documents the OCIJ Investigators Showed to Witnesses, 3 May 2017 [granting the request and placing the referenced documents on the Case File]; **(17): D237** Meas Muth's Request for Correction and Addition of Certain Case File Documents, 1 Mar 2017 [requests additions and corrections to four specific statements], decided by **D237/1** Decision on Meas Muth's Request for Correction and Addition of Certain Case File Documents, 17 Apr 2017 [adding two Case 004 interviews to the Case File, resolving discrepancies identified in the translations of D1.3.30.2, denying correction of incorrect references in D114/189, and revising an incorrect translation in D114/216]; **(18): D247** Meas Muth's Request to Update Case File with Revised Versions of Case 002 Transcripts, 2 May 2017 [requesting that the CIJs update the Case 002 transcripts on the Case 003 Case File whenever revised versions are placed on the Case 002 Case File], decided by **D255** Memorandum to Parties re. Revisions of Case 002/2 Transcripts, 18 Jul 2017 [replacing all Case 002/2 transcripts on Case File 003 with their newly revised versions]; **(19): D254** Meas Muth's Request to Place Recordings Associated with Written Records of Witness Interview D114/301, D114/302, D114/303, and D114/304 on the Case File, 11 Jul 2017 [requesting that the CIJs place recordings of identified interviews on the Case File or explain why no recordings were made], decided by **D254/1** Decision on Meas Muth's Request to Place Recordings Associated with Four Written Records of Interview on the Case File, 12 Jul 2017 [informing the Defence that the audio recordings are on the Case File]; **(20): D260** Meas Muth's Request for an Unredacted Version of

the Case 004/1 Closing Order to be Placed on the Case File, 18 Aug 2017, decided by **D260/1** Order to Place Full Closing Order (Reasons) From Case 004/1 onto Case File 003, 22 Aug 2017.

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(1): D87/2/1.9 Meas Muth's Request for the Work Product of OCIJ Investigators Involved in Improper Investigative Practices in Case 002, 2 Oct 2013 [requesting the work product of five OCIJ investigators in order to determine whether any annulment applications were warranted], decided by **D87/2/1.9/1** Decision on Meas Muth's Request for the Work Product of OCIJ Investigators in Case 002, 15 Oct 2015 [rejecting the request as discrepancies in Case 002 do not in and of themselves support the conclusion that such discrepancies are inevitable in Case 003, and the right to consult the Case File does not extend to internal work product generated by the OCIJ, which remains by its very nature strictly confidential]; **(2): D87/2/1.4** Meas Muth's Notice of Objection to Stephen Heder Having Any Further Involvement in Case 003 & Request for the Work Product of Stephen Heder, 9 Oct 2013 [objecting to Heder's involvement in Case 003, alleging that he, as a former member of the OCP, was biased and any further involvement by him would taint the investigation, and requesting his work product in order to determine what annulment applications might be necessary], decided by **D164** Consolidated Decision on Meas Muth's Objection to Stephen Heder and David Boyle's Involvement in Case 003 and Request for their Work Product, 19 Oct 2015 [denying the request because it is the CIJs who have sole authority and responsibility over the conduct of the judicial investigation and who determine what weight to give to any evidence or advice]; **(3): D87/2/1.5** Meas Muth's Notice of Objection to David Boyle Having Any Further Involvement in Case 003 & Request for the Work Product of David Boyle, 9 Oct 2013 [alleging that Boyle, a legal consultant with OCIJ, was biased, any further involvement by him would taint the investigation, and requesting his work product in order to determine what annulment applications might be necessary] and **D87/2/1.5.1** Meas Muth's Renewed Notice of Objection to David Boyle Having any Further Involvement in Case 003, 26 Jun 2015, decided by **D164** Consolidated Decision on Meas Muth's Objection to Stephen Heder and David Boyle's Involvement in Case 003 and Request for their Work Product, 19 Oct 2015 [denying the request because it is the CIJs, not their staff members, who have sole authority and responsibility over the conduct of the judicial investigation and who determine what weight to give to any evidence or advice].

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(1): D87/2/1.3 Meas Muth's Request for Information Concerning the OCIJ's Investigative Approach and Methodology, 2 Oct 2013 [requesting, *inter alia*, information about the CIJs' planning and overall approach to the judicial investigation, OCIJ investigators' qualifications and experience, whether there are OCIJ standard operating procedures in place and how they are tracked, and what procedures are in place to ensure robust pursuit of exculpatory evidence], decided by **D87/2/1.3/1** Decision on Meas Muth's Request for Information Concerning the OCIJ's Investigative Approach and Methodology, 22 May 2015 [finding the request inadmissible]; **(2): D136** Meas Muth's Request that the Co-Investigating Judges Instruct the OCIJ Investigators to Audio or Video Record all Witness and Civil Parties Interviews, 27 Apr 2015 [requesting the CIJs to instruct OCIJ investigators to produce audio or video records of all interviews with witnesses and civil parties, regardless of whether a written record of interview was created or not], decided by **D136/1** Decision on Meas Muth's Request to Audio or Video Record Interviews with Witnesses and Civil Parties, 29 Sep 2015 [dismissing part of the motion as moot because instructions had already been issued requiring OCIJ investigators to audio-record all interviews with witnesses and civil parties (*see* D154) and denying the remainder of the motion that requested the OCIJ to audio or video record screening conversations]; **(3): D194** Meas Muth's Request that the Co-Investigating Judges Examine the Investigative Techniques Employed by Certain OCIJ Investigators and Adopt Appropriate Modalities to Ensure that Witness and Civil Party Evidence is not Tainted by Improper Techniques, 29 Apr 2016 [requesting that the CIJs examine "questionable" investigative techniques and also place all OCIJ investigators' *curricula vitae* on the Case File], decided by **D219** Consolidated Decision on Meas Muth's Requests Concerning the Questioning of Witnesses, 2 Dec 2016 [rejecting the Defence claim that OCIJ investigators are employing improper techniques while questioning witnesses and civil parties and denying the request to place investigators' CVs on the Case File]; **(4): D197** Meas Muth's Request Concerning the Use of Leading Questions in Interviews and the Probative Value of Evidence Obtained through Such Questions, 6 May 2016 [requesting that the CIJs issue an order to cease the practice of OCIJ investigators using leading questions during interviews, train investigators to avoid asking questions that might taint interview statements, and accord little or no weight to evidence obtained through leading questions], decided by **D219** Consolidated Decision on Meas Muth's Requests Concerning the Questioning of Witnesses, 2 Dec 2016 [denying the request because there is no prohibition against the use of leading questions and there are occasions when they are necessary].

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(1): D103/1.6 Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action concerning Two Alleged Crime Sites, 3 Feb 2014 [regarding the durian plantation in Ream Commune, and the Bet Trang worksite in Bet Trang Commune], decided by **D134** Decision on Meas Muth's Applications to Seize the Pre-Trial Chamber with Two Requests for Annulment of Investigative Action, 23 Apr 2015 [denying the application]; **(2): D103/1.7** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action Concerning Religious Persecution, 7 Feb 2014, decided by **D134** Decision on Meas Muth's Applications to Seize the Pre-Trial Chamber with Two Requests for Annulment of Investigative Action, 23 Apr 2015 [denying the application]; **(3): D137** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action and Charges Concerning Alleged Purges in Kratie (Sector 505) in Late 1978, 21 May 2015, decided by **D165** Decision on Meas Muth's Nine Applications to Seize the Pre-Trial Chamber with Requests for Annulment Pursuant to Internal Rule 76(2), 3 Nov 2015 ("Decision on Nine Applications") [granting the application]; **(4): D138** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action Concerning Tuek Sap, 21 May 2015, decided by **D165** Decision on Nine Applications [denying the application]; **(5): D139** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action Concerning Alleged Kang Keng Forced Labour and Reeducation Sites, 21 May 2015, decided by **D165** Decision on Nine Applications [denying the application]; **(6): D140** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action Conducted in Relation to Witness Interviews D2/3, D2/4, D2/11, D2/15, D2/16, D32/2, D32/4, D32/13, D32/14 and D32/15, 22 May 2015, decided by **D165** Decision on Nine Applications [denying the application]; **(7): D141** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action Concerning Ream, 25 May 2015, decided by **D165** Decision on Nine Applications [denying the application]; **(8): D144** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action Conducted in relation to Witness Hem Leap, 22 Jul 2015, decided by **D165** Decision on Nine Applications [denying the application]; **(9): D146** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of Charges of Grave Breaches, 29 Jul 2015, decided by **D165** Decision on Nine Applications [granting the application]; **(10): D151** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of All Investigative Action in relation to Forced Marriage, 16 Sep 2015, decided by **D165** Decision on Nine Applications [denying the application]; **(11): D153** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of Document D54/81 and its Attachments, 21 Sep 2015, decided by **D165** Decision on Nine Applications [declaring the application to be moot]; **(12): D253** Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of D114/164, D114/167, D114/170, and D114/171, 23 Jun 2017, decided by **D253/1** Decision on Meas Muth's Application to Seize the Pre-Trial Chamber with a Request for Annulment of D114/164, D114/167, D114/170, and D114/171, 4 Jul 2017 [granting the application]; **(13): D257** Meas Muth's Application to Seize the Pre-Trial Chamber with an Application for the Annulment of Torture-Derived Sections of Written Records of Interview, 27 Jul 2017, decided by **D257/1** Decision on Meas Muth's Application to Annul Torture-Tainted Written Records of Interview, 1 Aug 2017 [granting the application].

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See, e.g., **D163** Request for Clarification Concerning Circumstances of the Witness Interview Summarized in Written Record of Witness Interview D54/96, 14 Oct 2015; **D176** Request for Clarification Concerning Certain Documents on the Case File, 18 Dec 2015; **D185** Request Concerning Documents D59/2/10a and D114/51.1, 15 Mar 2016; **D88/1** Request Concerning D88 Documents, 15 Mar 2016; **D186** Request Concerning Site Identification Report Missing from the Case File, 17 Mar 2016; **D187** Request Concerning Errors in Certain Case File Documents, 17 Mar 2016; **D188** Request Concerning Duplicate and Incorrect Documents on the Case File, 17 Mar 2016; **D220** Meas Muth's Request for Correction of Discrepancies in Certain Case File Documents, 5 Dec 2016; **D228** Meas Muth's Request for Correction of Certain Case File Documents, 26 Jan 2017; **D240** Meas Muth's Request for Clarification Concerning Document D114/298.3, 7 Mar 2017; **D241** Meas Muth's Request for Correction of Obvious Errors in Certain Case File Documents and for the Co-Investigating Judges to Consider Other Errors while Assessing the Evidence, 24 Mar 2017; **D242** Meas Muth's Request for Correction of Certain Case File Documents, 28 Mar 2017; **D245** Meas Muth's Request for Correction of Certain Case File Documents, 21 Apr 2017.

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D235 Civil Party Co-Lawyers' Request for Investigative Action to Place Materials onto Case File, 10 Feb 2017, paras 3, 11, 12.

- 78 **D22** International Co-Prosecutor's First Case File 003 Investigative Request to Admit Additional Documents and Observations on the Status of the Investigation, 10 Jun 2011; **D23** International Co-Prosecutor's Second Request for Further Investigative Action Regarding Sou Met and Related Crime Sites, 10 Jun 2011; **D24** International Co-Prosecutor's Third Investigative Request Regarding Meas Mut and Related Crime Sites, 10 Jun 2011; **D208** International Co-Prosecutor's Investigation Request Regarding the Co-Investigating Judges' Combined S-21 Prisoner List with Confidential Annexes A & B, 8 Aug 2016 [requesting that the CIJs place contemporaneous S-21 documents on the Case File, consider additional names as S-21 prisoners, amend the OCIJ S-21 Prisoner List to include those additional names, and place the amended OCIJ S-21 Prisoner List on the Case File]; **D233** International Co-Prosecutor's Request for Investigative Action in Case 003, 9 Feb 2017 [requesting that investigators conduct a site visit to Koh Tang accompanied by Ek Ny; interview specific witnesses regarding Kang Keng, Bet Trang, S-21, Toek Sap, and forced marriage; interview Division 164 cadres identified by Meas Muth; and obtain a copy of the documentary "Brother Number One" and its transcript and place them onto the Case File]; **D234** International Co-Prosecutor's Request for Investigative Action to Place Materials onto Case File 003, 9 Feb 2017 [requesting that the CIJs place specific Case 002 documents, maps, and videos onto the Case File as well as contemporaneous documents underlying the OCIJ's S-21 list].
- 79 **D191** Call for Submissions by the Parties in Cases 003 and 004 and Call for *Amicus Curiae* Briefs, 19 Apr 2016.
- 80 **D191/1** International Co-Prosecutor's Response to the International Co-Investigating Judge's Call for Submissions Regarding Crimes Against Humanity, 19 May 2016.
- 81 Case 004/**D306/3** Ao An's Submission on Whether an Attack by a State or Organisation against Members of its Own Armed Forces Could Qualify as a Crime Against Humanity Under Customary International Law in 1975-1979, 19 May 2016.
- 82 Case 004-**D306/1** Yim Tith's Submission on the Interpretation of the Term 'Civilian Population' for the Purposes of Article 5 of the Establishment Law, 19 May 2016.
- 83 **D191/2** Meas Muth's Submission on the Question of whether under Customary International Law in 1975-1979 an Attack by a State or Organization Against its Own Armed Forces Could Amount to an Attack Directed against a Civilian Population for Purposes of Article 5 of the Establishment Law, 19 May 2016.
- 84 **D191/3** *Amicus Curiae* Brief in Cases 003 and 004 – Professor Ben Saul; **D191/4** *Amicus Curiae* Brief for Cases 003 and 004 – Catherine Drummond, Philippa Webb, and Dapo Akande; **D191/5** *Amicus Curiae* Brief for Cases 003 and 004 – TRIAL (Track Impunity Always); **D191/6** *Amicus Curiae* Brief of Professors Robinson, deGuzman, Jalloh and Cryer on Crimes Against Humanity for Cases 003 and 004; **D191/7** *Amicus Curiae* Brief for Cases 003 and 004 – Ido Rosenzweig; **D191/8** *Amicus Curiae* Brief for Cases 003 and 004 – Dr. Joanna Nicholson; **D191/9** *Amicus Curiae* Brief for Cases 003 and 004 – Professor Nicholas Tsagourias; **D191/10** *Amicus Curiae* Brief for Cases 003 and 004 – Oliver Windridge; **D191/11** *Amicus Curiae* Brief filed by Drs Williams and Grey in Response to Call for *Amicus Curiae* Briefs in Cases 003 and 004 dated 19 April 2016; **D191/12** *Amicus* Brief filed by the Center for International and Comparative Law, University of Baltimore School of Law on the Legality of Targeting Members of One's Own Military; **D191/13** Queen's University Belfast Human Rights Centre Response to the ECCC Office of the Co-Investigating Judges' 'Call for Submissions by the Parties in Cases 003 and 004 and Call for *Amicus Curiae* Briefs'.
- 85 Case 004-**D306/16** Yim Tith's Combined Response to Briefs Submitted by *Amici Curiae* Pursuant to D306, 11 Jul 2016.
- 86 **D191/17** Meas Muth's Combined Response to *Amici Curiae* Submissions on the Question of whether under Customary International Law in 1975-1979 an Attack by a State or Organization against its Own Armed Forces Could Amount to an Attack Directed Against a Civilian Population for Purposes of Article 5 of the Establishment Law, 11 Jul 2016.
- 87 **D191/18** Notification on the Interpretation of 'Attack Against the Civilian Population' in the Context of Crimes Against Humanity with Regard to a State's or Regime's Own Armed Forces, 7 Feb 2017, paras 69, 56-57.
- 88 **D191/18/1/4** Meas Muth's Appeal Against the International Co-Investigating Judge's Notification on the Interpretation of 'Attack against the Civilian Population' in the Context of Crimes Against Humanity with Regard to a State's or Regime's Own Armed Forces, 1 May 2017. *See also* **D191/18/1/5** International Co-Prosecutor's Response to Meas Muth's Appeal Against the International Co-Investigating Judge's Civilian Population Decision, 15 Jun 2017; **D191/18/1/7** Meas Muth's Reply to the International Co-Prosecutor's

Response to Meas Muth's Appeal Against the International Co-Investigating Judge's Civilian Population Decision, 21 Jun 2017.

D191/18/1/8 Decision on Meas Muth's Appeal Against the Notification on the Interpretation of 'Attack Against the Civilian Population' in the Context of Crimes Against Humanity with regard to a State's or Regime's Own Armed Forces, 18 Jul 2017 [the PTC found that no good cause had been shown to justify the filing of the Notice of Appeal after the prescribed deadline, therefore the appeal itself was inadmissible].

D184 Request for Comments regarding Alleged Facts not to be Investigated Further, 16 Mar 2016 ("Request for Comments").

D184 Request for Comments.

D184/1 Request for Comments Regarding Alleged Facts not to be Investigated Further (D184), 18 Mar 2016.

D184/2 International Co-Prosecutor's Response to the International Co-Investigating Judge's Request for Comments Regarding Alleged Facts not to be Investigated Further, 29 Apr 2016 ("ICP Response to Request for Comments").

D184/2 ICP Response to Request for Comments, para. 22.

D184/3 Notice of Provisional Discontinuance Regarding Individual Allegations, 24 Aug 2016, paras 21-22.

D184/4 Notification Pursuant to Internal Rule 66bis(2), 22 Nov 2016, paras 5, 6.

D184/4/1 International Co-Prosecutor's Response to the International Co-Investigating Judge's 'Notification Pursuant to Internal Rule 66bis(2)', 24 Nov 2016, para. 2.

D226 Decision to Reduce the Scope of Judicial Investigation Pursuant to Internal Rule 66bis, 10 Jan 2017.

D225 Notice of Conclusion of Judicial Investigation Against Meas Muth, 10 Jan 2017, paras 6-7.

D227 Meas Muth's Request for Investigative Action Regarding D114/174, D114/184, and Related Witness Interviews and the Potential Use of Torture-Tainted Evidence, 25 Jan 2017; **D229** Meas Muth's Request for Investigative Action Concerning an Unrecorded Interaction with a Witness and Request to Revise Written Record of Witness Interview, 26 Jan 2017; **D233** International Co-Prosecutor's Request for Investigative Action in Case 003, 9 Feb 2017; **D234** International Co-Prosecutor's Request for Investigative Action to Place Materials onto Case File 003, 9 Feb 2017.

D252 Second Notice of Conclusion of Judicial Investigation Against Meas Muth, 24 May 2017, paras 18-19.

D256 Forwarding Order Pursuant to Internal Rule 66(4), 25 Jul 2017 ("Forwarding Order"), para. 14.

D256/1 International Co-Prosecutor's Request for Information on the Expected Date of the Notification of the Khmer Version of the Forwarding Order and a Request to Modify the Schedule for the Filing of the Final Submission, 8 Aug 2017.

D256/2 Meas Muth's Response to International Co-Prosecutor's Request for Information on the Expected Date of the Notification of the Khmer Version of the Forwarding Order and a Request to Modify the Schedule for the Filing of the Final Submission, 9 Aug 2017.

D256/3 Decision on Schedule of Prosecution's Final Submission and Defence Response, 4 Sep 2017, para. 8.

D256/5 Decision on Meas Muth's Request for Reconsideration on Schedule of Defense Response, 5 Oct 2017.

D214 Meas Muth's Motion Against the Application of Forced Marriage as the Crime Against Humanity of an Other Inhumane Act, 18 Nov 2016 ("Forced Marriage Motion").

See **D214** Forced Marriage Motion; **D214/1** International Co-Prosecutor's Response to Meas Muth's Motion Against the Application of Forced Marriage as the Crime Against Humanity of an Other Inhumane Act, 2 Dec 2016; **D214/1/1** Meas Muth's Reply to the International Co-Prosecutor's Response to Meas Muth's Motion against the Application of Forced Marriage as the Crime Against Humanity of an Other Inhumane Act, 12 Dec 2016.

D253/1/3 Meas Muth's Application for Annulment of D114/164, D114/167, D114/170, and D114/171, 17 Jul 2017.

D253/1/4 International Co-Prosecutor's Response to Meas Muth's Request for Annulment of Four Written Records of Interview, 28 Aug 2017.

D257/1/3 Meas Muth's Application for the Annulment of Torture-Derived Written Records of Interview, 10 Aug 2017; **D257/1/3.2** Annex: Excerpts of Written Records of Interview Tainted by S-21 Confessions. *See also* **D257/1/4** International Co-Prosecutor's Response to Application for Annulment of Alleged Torture-Derived Written Records of Interview, 11 Oct 2017; **D257/1/7** Meas Muth's Reply to International Co-Prosecutor's Response to Application for Annulment of Alleged Torture-Derived Written Records of Interview, 24 Oct 2017.

D256 Forwarding Order, paras 11-12.

- 113 Hundreds of the documents which were transferred from Case 002 by ICIJ Blunk are not directly relevant to the Case 003 charges. In addition, many other documents have become irrelevant following the death of Sou Met on 14 Jun 2013.
- 114 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693 [“(Meas) Mut was born in Pou Village, Srey Khnong Commune, Chhuk District, Kampot Province, Cambodia in 1938 [...] he is also known as ((Khe)) Mut and ((Ta) Mut))”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678538 [“Mok’s son-in-law, Khe Muth”]; **D88.1.17** Dave Kattenberg, *Foxy Lady*, EN 00916251 [“[Meas Muth’s] home village of Pou, Kampot province”]; **D1.3.13.1** Boch Koy OCP Statement, EN 00217558 [“The witness stated that Meas Mut was from the Chum Kiri district in Kampot Province”]; **D54/1.1** Southeast Asia Globe, *A Last Stand*, 4 Jul 2011, EN 00915789 [“Meas Mut was born in Kampot, in the south of Cambodia”]; **D1.3.32.28** Meas Chan Na DC-Cam Statement, EN 00881849 [“Q: Was Ta Mut a native of that area? A: Yes. Q: Right from the village of Pou? A: Yes”].
- 115 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693 [“Meas Mut entered the Khmer Communist movement in May 1970”].
- 116 **D54/1.1** Southeast Asia Globe, *A Last Stand*, 4 Jul 2011, EN 00915789 [“Since his defection to the government in 1999, Meas Mut has reinvented himself as something of a local Buddhist patriarch, bankrolling the construction of a new pagoda in the village and showering the local villagers with sagely aphorisms”].
- 117 **D1.3.7.8** Cambodia Daily, *Let Bygones Be Bygones*, 1 Mar 2008, EN 00165821 [“I was only a simple member of the Party”].
- 118 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693-94 [“Meas Mut entered the Khmer Communist movement in May 1970 [...] he was initially assigned as a medic in his village, and then in Sector 13”]; **D22.2.182** Meas Mut US POW/MIA Statement, 30 May 2002, EN 00249703 [“Meas Mut was initially assigned as a medic in Angkor Chey District (District 102), Sector 13 in 1970”].
- 119 **D22.2.182** Meas Muth US POW/MIA Statement, 30 May 2002, EN 00249703 [“At the end of 1970 or early 1971, he became the Deputy Commander of the Angkor Chey District Military. At that time there were about 200 troops in the District Military”].
- 120 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693-94 [“At the end of 1970, [Meas Muth] was reassigned to the military in Angkor Chey District, Kampot Province and later with the Sector 13 command in southern Takeo Province. He remained with the Sector 13 command until he was reassigned to the southwestern region command in 1973”]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 09.57.53-10.02.20 [“From 1973 to 1975, Muth was the chief and Saom was the deputy. And later on, Muth was transferred to Division 3. Saom became the deputy (sic) in 1975. Q: And at one stage, did Muth leave -- leave the sector and do something else, take up another function? A: Before 1975, he was the chief of Sector 13. And later on, around 1974 or 1975, he moved to be in charge of Division 3. And then Saom became the secretary. Q: And where was your office specifically located in Angkor Chey district when you were a messenger between 1973 and September 1975? A: Between '73 and '75, I relocated from Sramauch (phonetic) mountain to Damrei Romiel. And later on, I moved to Angk Kriv near the National Road in 1975. However, it was still located in Angkor Chey district”]; **D54/62** Moeng Vet WRI, A15 [“Q: When did you see Meas Mut in the Sector 13 Committee, and during what period of time was he on the Sector 13 Committee? A15: When I joined the revolutionary movement in 1973, I saw that he was already on the Sector Committee”]; **D54/60.2** Meung Vet DC-Cam Statement, EN 00992981 [“Q: What did Ta Mut do [in 1973]? A: Sector 13 committee. Q: Sector committee included Ta Mut? A: Ta Mut and Ta Saom”]; **D4.1.783** Pech Chim WRI, EN 00379170 [“Ta Soam (alias Than) was the secretary of Sector 13 [...] The deputy of Sector 13 named Phen who was then in charge of economics [...] The member of the Sector named Meas Mut who was in charge of military”]; **D4.1.784** Pech Chim WRI, EN 00379303 [“The committee of Sector 13 composed of Ta Soam who was the secretary, Phen was the deputy secretary, and Ta Mut was the member”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678538 [“Mok’s son-in-law, Khe Muth, had begun his career as CPK secretary of Tram Kak and had also become deputy secretary of Region 13”].
- 121 **D22.2.181** Meas Muth POW/MIA Statement, 5 Dec 2001, EN 00249693-94 [“At the end of 1970, [Meas Muth] was reassigned to the military in Angkor Chey District, Kampot Province and later with the Sector 13 command in southern Takeo Province. He remained with the Sector 13 command until he was reassigned to the southwestern region command in 1973”]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 09.57.53-10.02.20 [“From 1973 to 1975, Muth was the chief and Saom was the deputy. And later on, Muth was transferred to Division 3. Saom became the deputy (sic) in 1975. Q: And at one stage, did Muth leave -- leave the sector

and do something else, take up another function? A: Before 1975, he was the chief of Sector 13. And later on, around 1974 or 1975, he moved to be in charge of Division 3. And then Saom became the secretary. Q: And where was your office specifically located in Angkor Chey district when you were a messenger between 1973 and September 1975? A: Between '73 and '75, I relocated from Sramauch (phonetic) mountain to Damrei Romiel. And later on, I moved to Angk Kriv near the National Road in 1975. However, it was still located in Angkor Chey district"; **D54/62** Moeng Vet WRI, A15-21 ["Q: When did you see Meas Mut in the Sector 13 Committee, and during what period of time was he on the Sector 13 Committee? A15: When I joined the revolutionary movement in 1973, I saw that he was already on the Sector Committee. Maybe in 1974, Meas Mut went to be in charge of the army when the Southwest Zone organised Division 3. After April 1975 he went to Kampong Som. Q: Was Meas Mut the first commander of Division 3 when it was created? A16: Yes, he was. Q: When you saw Meas Mut for the first time on the Sector 13 Committee, did you know what his roles and functions were? A17: He was on that Sector Committee, and he was in charge of the military side. [...] A18: Thousands of soldiers were under Meas Mut's command in Sector 13. At that time there were no regiments or division yet. There were only battalions. Q: Do you remember the number of the battalions in Sector 13 which were under the command of Meas Mut? A19: I remember Battalion Ta 110 that was under the command of Chuong and Pav who Meas Mut took to Kampong Som with him. Unit 27 was the former navy, which was created before 1973. Besides these, I do not remember. Q: What was the location of Unit 27, and where did it operate before 1973? A20: Battalion 27 was under the command of Meas Mut, and it was called the naval unit since before I joined the revolutionary movement in 1973. This battalion operated in the south of Takeo Province. They did not have any motorboats or other boats. Generally they operated on land. The area of Kaoh Andaet District, Takeo Province, was almost entirely flooded during the rainy season. At that time the sailors in this navy used banana trees and bamboos for swimming to operate in that area. Q: You said that Unit 27 was a naval unit. Was that what the people called it, or was that a formal name used by the upper echelon since before 1973? A21: Generally the people always called them the navy because they always saw that division operate on the water"; **D4.1.783** Pech Chim WRI, EN 00379170 ["The member of the Sector [13] named Meas Mut who was in charge of military"]; **D4.1.784** Pech Chim WRI, EN 00379303 ["The committee of Sector 13 composed of Ta Soam who was the secretary, Phen was the deputy secretary, and Ta Mut was the member"]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115963 ["Q: Who was in charge of Sector 13 which was in Takeo [in 1972]? A: It was in charge by Commander Saom. I did not know his first name. Q: Was he Ta Saom? A: Yes, he was. Later it was under the control of Meas Muth. Q: What did Ta Muth do? A: Ta Muth was the Commander. He was in charge of the administration. Q: Was he in charge of the administration of Sector 13? A: Yes, he was. Ta Saom was in charge of the military affairs"]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992981 ["Q: What did Ta Mut do [in 1973]? A: Sector 13 committee. Q: Sector committee included Ta Mut? A: Ta Mut and Ta Saom"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974163 ["Q: So, where was Ta Mut then [1974]? A: Ta Mut, this Meas Mut was in Sector 13, called Ta Kaen Sector. Q: But, was his hometown there too? A: His hometown was in Srae Knong. Q: But, during the time of struggle, did he come to Sector 13 of Takeo? A: Yes"].

¹²² **D54/110** Lon Seng WRI, A27 ["Meas Mut was a full-staff member of the party. For myself, I became a full-staff member of the party since 1973. Meas Mut was a full-staff member before me because he joined the revolution since a long time ago"].

¹²³ **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693 ["In 1974 [Meas Muth] was appointed the political officer for the newly-formed Khmer Communist 3rd Division"]; **D22.2.182** Meas Muth US POW/MIA Statement, 30 May 2002, EN 00249704 ["In March 1974, BG Mut was transferred to the Southwestern region as the Commander of the newly created 3rd Division"]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 09.57.53-10.02.20, ["around 1974 or 1975, [Meas Muth] moved to be in charge of Division 3"] confirming **D54/62** Moeng Vet WRI, A15 ["Maybe in 1974, Meas Mut went to be in charge of the army when the Southwest Zone organised Division 3"]; **D54/98** Heang Ret WRI, A38 ["Meas Muth was appointed commander of Division 3 in 1973 when this division was established"]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115965 ["Q: Was Division 3 just newly established [when you were transferred to it in September 1974]? A: Yes, it was. Q: Who was in charge of it? A: Meas Muth was"]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678538 ["In 1973 Muth rose to become secretary of the 3rd Southwest Division"]; **D1.3.7.9** *Searching for the Truth, I Only Want Justice*, Aug 2000, EN 00204275 ["In 1973, Meas Mut was a newly appointed Regional Secretary of Brigade 3"].

¹²⁴ **D54/41** Or Saran WRI, A8-9 ["I knew for sure that Meas Mut was the division chief alone. Meas Mut was the chief of Division 3 and directly controlled the regiments and battalions. Q: You said Meas Mut was the

general chief of the division. Can you describe his responsibilities? A9: Meas Mut was generally responsible for food supplies, ammunition and weapons”].

125 **D114/82** Keo San WRI, A7 [“I got to know [Meas Muth] since 1973. He was a military instructor at Phnom Damrei Romeal Mountain. That mountain borders with three provinces including Kampong Speu, Kampot and Takeo”].

126 **D54/46** Em Sun WRI, A31, 33 [“In a meeting, [Meas Muth] announced that Battalion 450 was the special battalion under Division 3’s authority. He also added that we had to get ready for liberating Phnom Penh in February 1975 and that the fighting would be done on land and assisted by special Battalion 450 because there were seven companies in Battalion 450 [...] Q: What else did Meas Mut say in the meeting? A33: The meeting lasted for three days from 11 to 14 April 1975 at ROUNG DAMREI Village, Trapeang Chhuk District, Kandal Province. Meas Mut told us that we had to take over Phnom Penh within three days, so we were given new weapons”].

127 **D54/43** Lon Seng WRI, A6-7 [“Q: During the fighting for Phnom Penh, who ordered Division 3 to enter Phnom Penh? A6: Ta Mut, who was the commander of Division 3. Q: When they entered Phnom Penh, where was the Division 3 headquarters located? A7: Division 3 headquarters, under Meas Mut’s command, was located at Phnum Tmat Pong during the fighting for Phnom Penh”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678511 [“Other forces involved in the offensive were the 3rd Southwest Zone Division, commanded by Muth, son-in-law of the Zone CPK secretary Mok, and the 1st Southwest, commanded by Paet Soeung which approached Pochentong airport from the west, along Highway 4. Northern Zone forces, for their part, moved down the Sap River along Highway 5. They were hurriedly brought into position, many units covering over one hundred kilometers on foot for the start of the final attack on 14 April. They then advanced so quickly that their command lost contact with them for twenty-four hours”].

128 **D54/46** Em Sun WRI, A35 [“On the first day of fighting, we took over a barracks at Wat Doeum Pou to the north of National Road 4 and to the west of a railroad. Lon Nol’s army retreated to Kamboul. On the second day, Meas Mut commanded Companies 2 and 3 to take over Ra Samraong. We were backed up by the Special Zone army. We took over Ra Samraong but we were not stationed there. We set up a shelter in Wat Chumpu Voan. On the third day, there was an order from the Division to fight further to Chaom Chau. We took over Chaom Chau and Pochentong on 17 April 1975”]; **D54/30** Soem Ny WRI, A8-10 [“Battalion 550 had been formed around two months before the ‘liberation’ of Phnom Penh in April 1975. This battalion was called a special one whose military members had been transferred from different units. This special battalion was under the command of the sector battlefields north of National Road 4-Meas Mut. Q: In the attacks into Phnom Penh during which Meas Mut was the commander of the north battlefields of National Road 4, what unit was under his command? A9: At that time, Division 3 was under the command of Meas Mut. Q: Being a battlefield commander, what did he do? A10: He organised meetings with chiefs of regiments and battalions to assign battle targets, and he stayed at the rear battle line with 105 mm artilleries”]; **D114/25** Ou Dav WRI, A9 [“At that time, I remembered that on 17 April 1975, when I first arrived at Pochentong Airport, I saw Meas Mut enter the airport, and then I saw Sou Met and Ta Mok enter afterward. During the war, Meas Mut was the second-in command of the battle fields south of National Road 4, and was also the commander of Divisions 2 and 3. At that time, Sou Met was the commander of the battlefields north of National Road 4”].

129 **D22.2.182** Meas Muth US POW/MIA Statement, 30 May 2002, EN 00249704 [“When Phnom Penh was liberated on 17 April 1975, the 3rd division was ordered to deploy to Kampong Som”]; **D54/62** Moeng Vet WRI, A15 [“After April 1975 he [Meas Muth] went to Kampong Som”]; **D114/286** Heang Ret (Reth) WRI, A35-36 [“Q: Regarding dates, from the previous interview you told me that you stayed in Phnom Penh for one day after Phnom Penh fell. Then you travelled for four days to Kampong Som. Do you remember how many days later Ta Muth arrived Kampong Som? A35: I arrived over there before Ta Mok. They came to pick me up from Dos Kanhchor. Ta Mok drove a Jeep to pick us to Kampong Som. I did not know when Ta Muth got there. I only saw him at the meeting at a later date. Q: When you first saw Ta Muth at Kampong Som, how many weeks was it after you had been there? A36: It was about two or three weeks after my arrival”]; **D54/100** Lay Boonhak WRI, A88-89 [“Division 3 was re-designated Division 164 when moved to Kampong Som. The former commander’s name was Ta Rin. When Division 3 moved to Kampong Som, Ta Muth was the commander. Q: When did they move? A89: When Division 3 was fighting in Phnom Penh, Ta Rin was the commander. When Phnom Penh was liberated in 1975, Ta Muth was commander”]; **D114/186** Sath Chak WRI, A16 [“At that time, after the liberation in 1975, soldiers were recruited for the Navy. All the soldiers in Division 3 came to Kampong Som. That division was commanded by Meas Muth. All of the soldiers in Division 3 were integrated into the Navy. Afterwards, Division 3 was relocated and stationed in

- Kampong Som. The unit was restructured while its name was changed to Division 164”]; **D4.1.784** Pech Chim WRI, EN 00379303 [“2-3 months after the liberation day on 17 April 1975, Meas Mut and his wife were transferred to take charge of the Kampong Som Port within the navy unit”].
- 130 **D114/159** Kaing Guek Eav alias Duch WRI, A9 [“Meas Muth was a monk studying at Preah Soramarith Buddhist High School and staying in the same monastery where Brother Mok had built in Mohamontrei Pagoda. The monastery, which was managed by Brother Mok, was managed by a branch of the Communist Party of Kampuchea. People were recruited this way”].
- 131 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693 [“Meas Mut entered the Khmer Communist movement in May 1970”]; **D54/70** Mut Mao WRI, A15 [“Q: In 1973, had Yeay Khom already married Meas Mut? A15: Yes, she was already married when I went to live with her in 1973. I did not know when she got married, but the first time I went to live with her, she already had a child”]; **D114/79** Kang Sum WRI, A38 [“Q: And how were Ta Muth and Ta Mok related? A38: Ta Muth and Ta Mok were son-in-law and father-in-law respectively”]; **D114/82** Keo San WRI, A8 [“Q: Did you know that Meas Muth’s first wife was Ta Mok’s daughter? A8: Yes, I did”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753845 [“Bang Muth was Ta Mok’s son-in-law”]; **D1.3.32.28** Meas Chan Na DC-Cam Statement, EN 00881849 [“Ta Mut was a cohort of Ta Mok. Q: What was his relationship with Ta Mok? A: Son-in-law”].
- 132 **D114/159** Kaing Guek Eav alias Duch WRI, A9 [“Pol Pot started the recruitment [to the Assisting Committee of the Central Committee] through Son Son and Ta Mok. According to principles as stipulated in the Party Statute, the recruitment had to comply with the ten-point requirement for building Party cadres. However, in practice, nepotism came into play when recruiting. For example, Sam Bith was Brother Mok’s nephew. He used to be a performer in a play when played the role as a King. Meas Muth was also related to Brother Mok. [...] People were recruited in this way. [...] People were recruited based on the structural network”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678579 [“By 1975 the Zone administration was dominated by Mok, a member of the CPK Standing Committee, and his thirteen brothers-in-law, daughters, sons, and sons-in-law. As Mok’s power grew, his relatives rose through the ranks. In 1976, his daughter Khom was promoted from CPK secretary of Tram Kak district to deputy secretary of Region 13, before dying of illness the next year. Mok’s brother-in-law, San, a former schoolteacher, followed her as Tram Kak’s secretary in 1977-78. Her widower, Khe Muth, was secretary of Kompong Som and commander of the DK navy. A second son-in-law, Boran, would follow in Mok’s footsteps as Zone secretary in late 1978. A second brother-in-law, Tith, was chief of District 109. In 1977 a third son-in-law, Soeun, was promoted from division commander to secretary of District 107, and a fourth, brigade commander Ren, was promoted to division commander. In the same year Mok’s son Chong was promoted from secretary of District 55 to secretary of Region 33”].
- 133 **D54/43** Lon Seng WRI, A5 [“Ta Mok established Division 3 and appointed Meas Mut as its chief”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678579 [“By 1975 the Zone administration was dominated by Mok, a member of the CPK Standing Committee, and his thirteen brothers-in-law, daughters, sons, and sons-in-law. As Mok’s power grew his relatives rose through the ranks [...] [Khom’s] widower, Khe Muth, was secretary of Kompong Som and commander of the DK navy”]; **D1.3.32.28** Meas Chan Na DC-Cam Statement, EN 00881849 [“Q: What would you say about a person by the name of Mut? What was his relationship [to you]? A: Ta Mut was a cohort of Ta Mok. [...] Q: During that time, Meas Mut was ... A: An associate of Ta Mok in that area”]; **D114/159** Kaing Guek Eav alias Duch WRI, A9 [“Pol Pot started the recruitment [to the Assisting Committee of the Central Committee] through Son Son and Ta Mok. According to principles as stipulated in the Party Statute, the recruitment had to comply with the ten-point requirement for building Party cadres. However, in practice, nepotism came into play when recruiting. For example, Sam Bith was Brother Mok’s nephew. He used to be a performer in a play when played the role as a King. Meas Muth was also related to Brother Mok. [...] People were recruited in this way. [...] People were recruited based on the structural network”].
- 134 **D54/110** Lon Seng WRI, A27 [“Meas Mut was a full-staff member of the party. For myself, I became a full-staff member of the party since 1973. Meas Mut was a full-staff member before me because he joined the revolution since a long time ago”].
- 135 **D1.3.22.1** CPK Statute, Jan 1976, EN 00184031-32 [Article 2: “The duties of Party members. Every party member has the following duties: 1. Duties among the popular masses: Proselytize the popular masses on Party politics, ideology, and organization, and mingle closely with the popular masses, the worker-peasants in the unions and cooperatives, and the Revolutionary Army. Must be highly responsible to the popular masses, serve the popular masses with all the heart and unconditionally, be polite with the popular masses, and strive

to learn from the popular masses. B. Agitate the popular mass movement, especially the worker-peasant popular masses in the unions and cooperatives, and always be connected with the tasks of national defense and building Democratic Kampuchea in the direction of socialist revolution and building socialism. 2. Internal duties: A. Have a life inside a Party Branch organization regularly, once monthly. Every Party member, no matter how high his duty, even all the way up to the highest, must be in a Party Branch and have a regular Branch life. B. Respect Party organizational discipline unconditionally, with the highest awareness. C. Always strive to build Party political, ideological, and organizational stances, to absorb them ever more firmly, in order to implement the Party politics, ideology, and organization ever better, ever more efficiently. D. Always and absolutely strive well and closely to consolidate internal Party solidarity and unity. E. Always and absolutely strive to maintain Party secrecy with a high stance of revolutionary vigilance. F. Strive to implement the regime of criticism and self-criticism, the regime of inspection of revolutionary life views properly, carefully, and actively, in order to build oneself and the internal Party as good examples, always actively fight in the work of national defense and building the country of Democratic Kampuchea according to the Party's direction of socialist revolution and building socialism. G. Must have solid principles and stances of proletarian patriotism and proletarian internationalism. H. Strive to study culture, technology, and science, in order to increase capabilities to serve the work of the national defense and national construction of Democratic Kampuchea in the direction of socialist revolution and the building of socialism, ever better, ever more efficiently”].

136 **D1.3.33.15** Khieu Samphan WRI, 13 Dec 2007, EN 00156751 [“The central committee consisted of more than 30 members, but I don’t remember the names of all those members. Among them was Meas Mut, Ta Mok’s son-in-law, the secretary of one of the military sectors attached to Kampot province. Afterwards it was transformed into the marine force. There was another member named Soeu Va Sy, alias Doeun (he was the chairman of Office 870), and another member of the central committee was Koy Thuon, and Ke Pork. And I was also a member of this central committee, first as an intern member in 1971 until 1976 when I became a full-rights member. The “intern members” might be also called ‘candidate members’, but I don’t know of any ‘reserve members’”]. See also **D114/277.8** Kaing Guek Eav alias Duch, T. 20 Jun 2016, 10.58.02-10.59.48, EN 01336135-36 [“There were two cadres at a division level from the general staff who were members of the Centre, Muth and Met”]; **D4.1.405** Kaing Guek Eav alias Duch WRI, EN 00244242 [“Meas Mut and Sam were nominated to the Central Committee in 1975”].

137 **D1.3.22.1** CPK Statute, Jan 1976, EN 00184038 [Article 7: “During the period of time between one General Conference to another the highest operational unit throughout the country is the Central Committee”].

138 **D1.3.33.15** Khieu Samphan WRI, 13 Dec 2007, EN 00156750 [“In principle, the most important body was the central committee, but in practice it was the standing committee”].

139 **D1.3.33.15** Khieu Samphan WRI, 13 Dec 2007, EN 00156751 [“The central committee consisted of more than 30 members, but I don’t remember the names of all those members. Among them was Meas Mut, Ta Mok’s son-in-law, the secretary of one of the military sectors attached to Kampot province. Afterwards it was transformed into the marine force. There was another member named Soeu Va Sy, alias Doeun (he was the chairman of Office 870), and another member of the central committee was Koy Thuon and Ke Pork. And I was also a member of this central committee, first as an intern member in 1971 until 1976 when I became a full-rights member. The ‘intern members’ might be also called ‘candidate members’, but I don’t know of any ‘reserve members’”]; **D1.3.30.29** Masato Matsushita and Stephen Heder, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, EN 00170750 [CPK cadre who participated in 5th Party Congress in 1978 states that Central Committee consisted of “mostly tambon secretaries, secretary of Regions, deputy secretary of Regions, members of Regions”]; **D4.1.4** Timothy Carney, *The Organization of Power*, EN 00105140-41, 51-53; **D1.3.17.6** Stephen Heder and Brian Tittmore, *Seven Candidates for Prosecution*, EN 00393581. See also **D4.1.403** Kaing Guek Eav alias Duch WRI, EN 00242904 [“the three Ministers I just mentioned (Vorn Vet, Koy Thuon, Soeu Vasy) were all members of the Central Committee, which was not the case for Kao Rit”]; **D4.1.405** Kaing Guek Eav alias Duch WRI, EN 00244242 [“Meas Mut and Sam were nominated to the Central Committee in 1975”]; **D4.1.1115** Kaing Guek Eav Duch WRI, EN 00147606 [“Men San alia Ya was a full rights member of the Central Committee”].

140 **D1.3.22.1** CPK Statute, Jan 1976, EN 00184045 [Article 23: “The tasks of the Central Committee: The tasks of the Central Committee are: 1. Implement the Party political line and Statute throughout the Party. 2. Instruct the all Zone and Sector - City organizations and Party organizations responsible for various matters to carry out activities according to the political line, and ideological and organizational principles and stances in accordance with the tasks of national defense and building Democratic Kampuchea and in accordance with

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the Party direction of socialist revolution and building socialism. 3. Govern and arrange cadres and Party members throughout the entire Party, along with all core organizations, by constantly, clearly, and closely grasping personal histories, political, ideological, and organizational stances, and closely and constantly arming them politically, ideologically, and organizationally. 4. Act in the name of the Party in contacts with all brother-sister Marxist-Leninist parties”].

D114/277.8 Kaing Guek Eav alias Duch, T. 20 Jun 2016, 10.58.02-10.59.48, EN 01336135-36 [“There were two cadres at a division level from the general staff who were members of the Centre, Muth and Met”]; **D55/8.1.4** Kaing Guek Eav alias Duch, T. 9 Jun 2009, 10.21.32-10.25.56 [“People who were classified as assistants to the Centre first was Chhim Sam-Aok alias Pang and Sou Met and Meas Mut also included in”], 10.21.32-10.25.56 [“Again, the Central Committee had four labels. The lowest were the assistants to the Centre. These people had the right to attend study sessions with other people but during the general meeting of the Centre they did not have any rights to make any comments”], 10.28.12-10.32.11 [“Chhim Sam-Aok alias Pang was the member of the Centre Party. Meas Mut, Sou Met were all members of the Centre Party”]; **D1.3.33.10** Kaing Guek Eav alias Duch WRI, EN 00195577 [“One day, shortly before my marriage at the end of 1975, Nat told me that Son Sen was very happy because he had just been promoted to the Standing Committee [...] He also described the organisation of the military section, the four members of which had been appointed to the Assistants Committee, which gave them political responsibilities (Meas Mut, Sou Met, Sam Bit and the nurse, Soeung). When he explained all this to me, Nat told me he was disappointed because he had not been promoted himself. I tended not to believe Nat and, thus, I interrogated Koy Thuon on this issue, when he was detained at S-21, and Koy Thuon confirmed. Pang himself also confirmed this information one day when he came to S-21”]; **D114/158** Kaing Guek Eav alias Duch WRI, A32 [“The assistants to the Centre had some rights. First, they had the rights to attend training with the Central Committee, the high-level people, but did not have the rights to express their ideas. During a conference, the assistants to the Centre did not have the rights to express their ideas in the conference. Second, they did not have the rights to vote. This refers to the assistants to the Centre”]; **D114/159** Kaing Guek Eav alias Duch WRI, A3-5, 9 [“Meas Muth, Sou Meth, Sam Bith and Soeung who were from the military part were the secretaries of the Divisions. Q: Do you know why the names that you have mentioned above were recruited to be on the committee? A4: I have talked about the entry into the Centre. Nath said those four people had become the members of the Centre. Later, my superior by the name of Son Sen said that those people were not the reserve members of Centre. He said they were just the members of the Centre who were recruited to assist people with their work [...] The Assisting Committee members had the rights to attend the study sessions with the senior members. The senior members here refer to people on the Central Committee including Pol Pot and those who were the reserve members [...] A5: The four people were Brothers Bith, Muth, Soeung and Comrade Meth (Sou Meth). They were the division secretaries. The ones who recruited them were the Party Centre [committee] who was led mainly by Pol Pot. He recruited them through Ta Mok and Son Sen. [...] A9: Pol Pot started the recruitment through Son Sen and Ta Mok. According to principles as stipulated in the Party Statute, the recruitment had to comply with the ten-point requirement for building Party cadres. However, in practice, nepotism came into play when recruiting. For example, Sam Bith was Brother Mok’s nephew. He used to be a performer in a play when played the role as a King. Meas Muth was also related to Brother Mok [...] People were recruited based on the structural network”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680796-97 [“I still maintain that Meas Mut and Sou Met were the assistants of the central committee. At first, Nat (original name was In Lorn, my S-21 predecessor) was discontented with four people who had been admitted to the assisting committee, but him: first, Sam Bit, second, Meas Mut, third, brother (medic) Seoun, and fourth Sou Met. It was Nat who told me this story. And my supervisor Son Sen also told this story to me. I used to inform the CIJs that there had been other assistants of the central committee such as Cheng An, and Chhim Sam Aok alias Pang who was the first assistant of the composition. Koy Thuon also told me about this”], EN 00680796 [“[The Assisting Committee members] could be with the members to learn and take note, but they did not have rights to join and share their view in the discussion if there was any”]; **D4.1.405** Kaing Guek Eav alias Duch WRI, EN 00244242 [“[Nat] was jealous when Meas Mut and Sam Bit were nominated to the Central Committee in 1975”]; **D1.3.33.13** Kaing Guek Eav alias Duch WRI, EN 00154911 [“Amongst the Members of the Assisting Committee of the Central Committee, there were, in particular: Chhim Sam-aok, Sam Bit (Ta Mok’s Deputy), Meas Mut (Commander of the Navy), Sou Samet (Commander of the Air force), the male nurse Soeung (President of the autonomous Province of Siem Reap-Angkor) and Vean Em alias Sarun (President of Province 31, West Zone)”].

- 142 **D54/110** Lon Seng WRI, A20-23 [“Q: Some witnesses informed us that Meas Mut could be a member in the Supporting Commission of the Central Committee. Do you know anything about this commission? A20: Yes, I heard about this Alternative Commission and Meas Mut was in this Supporting Commission. This Alternative Commission was to support the Central Committee. Q: How did you know this? A21: After they completed organizing the structure bottom-up, they made an announcement about this structure to inform us in a meeting. Q: Could you tell us further regarding the support provided by the Supporting Commission to the Central Committee? A22: As to my knowledge, the function of the Supporting Commission was to disseminate policies and information received from the central level to the lower levels. Q: You mentioned “lower level”, what did it include? Was it the military side and the civilian side as well? A23: The Supporting Commission disseminated policies to the military and civilian sides as well. It is like the provincial governor who provides information to his departments to disseminate it to people”].
- 143 **D54/73** Mut Mao WRI, A3-5 [witness worked as a telephone operator for Meas Muth: “Q: Please try to recall who from the Centre called to speak to the commander of Division 164, Meas Mut. What were their names? A3: I do not remember the names. I just remember the number K-1. Q: How often did K-1 call? A4: Sometimes once per day and sometimes once every two days. At that time, there were calls back and forth between Meas Mut, the commander of Division 164 and the Centre, but I did not know how they made the calls. So I cannot tell you. Q: In general, when K-1 called, did you connect the calls to Meas Mut’s house directly, or did you connect them to another place? A5: I connected them to Ta Mut’s house directly”].
- 144 **D4.1.1074** Khieu Samphan WRI, 14 Dec 2007, EN 00156755 [“Q: What does the reference to K1 and K3 mean? A: It refers to the place of living or place of work of the standing committee members. K1 was on the Tonle Bassac riverfront (south of the national theatre building). K3 office was located just behind the Royal Palace. [...] As for myself I lived in K3 after I had stayed at K1 for two or three months, after we moved from the Silver Pagoda in the Royal Palace. [...] As for Pol Pot [...] He also lived in K1. The meetings of the standing committee were often held at K1 office but sometimes at K3 office, Pol Pot’s house, and it could be held in the kitchen”].
- 145 **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976 [describing meeting attended by Pol Pot, Vorn Vet, Son Sen, Meas Mut, Comrade Nget, Comrade Dim, and Comrade Touch as note taker]; **D4.1.699** Telegram 11 from Dim to Brother Mut (Meas Muth), 24 Sep 1976, EN 00143240 [telegram from the deputy of Meas Muth describing amongst other matters the security situation in Kampong Som. Copied to Nuon Chea, Son Sen, Office 870, and Documentation]; **D4.1.635** DK Report from Mut (Meas Muth), 1 Apr 1978 [report on the arrest and the killing of 102 Vietnamese in the period 27 March 1978 to 30 March 1978. Copied to Nuon Chea, Pol Pot, Brother Van and Documentation]; **D1.3.12.2** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 6 Feb (year unknown) [report describing the attack and capture of Thai fishing boats. Copied to Brother 87 (Vorn Vet), Brother, and Documentation].
- 146 **D4.1.1020** Telegram from Mut (Meas Muth) to Respected Brother 89 (Son Sen), 20 Feb 1976; **D1.3.12.3** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976; **D1.3.14.1** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976; **D1.3.4.1** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976; **D1.3.2.2** Telegram 10 from 89 (Son Sen) to Comrade Mut (Meas Muth) and Division 164, 4 Nov 1976; **D1.3.12.18** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978; **D4.1.637** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978; **D1.3.12.2** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 6 Feb (year unknown).
- 147 **D4.1.1031** Ieng Sary Statement, 19 May 1976, EN 00003694 [Meeting between Deputy Prime Minister Ieng Sary and Comrade Vice Minister Phon Hien of the Ministry of Foreign Affairs of the People’s Republic of Vietnam: “Comrade Ieng Sary greeted comrade Phan Hien on May 19, 1976. The meeting between the two began at eight in the morning. Kampuchea’s side consisted of comrade Mut, comrade Tauch, and comrade Kong, while the Vietnamese’s participated by comrade Ngieng Sung, comrade Ngieng Thoeung, comrade Pham Trung Hiv, and comrade Kiv Minh”]; **D22.1.10** FBIS, *Chinese Delegation Visits Kompong Som Area* 12 Dec, 13 Dec 1977, EN 00168349 [“On the morning of 12 December 1977 Comrade Chen Yung-kuei, member of the Political Bureau of the CCP Central Committee and vice premier of the PRC State Council, and the other Chinese comrades visited Kompong Som town. They were accompanied by Comrade Pol Pot, secretary of the KCP Central Committee and prime minister, and Comrades Ieng Sary and Thiounn Thioeunn. There, Comrade Chen Yung-kuei and the other Chinese comrades were warmly received and

- welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee”].
- 148 **D1.3.7.8** The Cambodia Daily, *Let Bygones Be Bygones*, 1 Mar 2008, EN 00165821 [“Meas Muth acknowledged that he met with Son Sen ‘a few times,’ in order to carry out the work of the Central Committee”].
- 149 **D1.3.27.1** CPK Standing Committee Minutes, 9 Oct 1975, EN 00183396-97 [Standing Committee meeting discussing the framework of the General Staff and delegating responsibility for the General Staff and security to Son Sen]; **D1.3.19.2** DK Report from Khieu (Son Sen) to Division and Regiment Committees, 3 Sep 1977 [Son Sen issued instructions from the General Staff to military divisions and regiments].
- 150 **D1.3.8.9** DK Military Meeting Minutes, 20 Dec 1976 [General Staff meeting minutes describing the enemy situation within the country and issuing a variety of commands]; **D1.3.12.16** DK Military Report, 31 Dec 1976 [General Staff document providing a summary of enemy activities occurring within the country and at the border]; **D1.3.8.6** DK Military Meeting Minutes, 1 Oct 1976 [describes “shortcomings” in defending the country and states that cadre with “no-good political tendencies” should be removed to protect internal security]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00183982, 00183984-87, 00183991-94 [Son Sen discusses DK policy about external and internal enemy situation and purges and interrogations used to clean up the fields from the no-good elements, allegedly considered CIA or KGB spies]; **D1.3.19.1** CPK Central Committee Decision, 30 Mar 1976, EN 00182809 [authorising the General Staff to “smash” individuals within the “Center Military”].
- 151 **D1.3.12.16** DK Military Report, 31 Dec 1976 [providing a summary of arrests and suspected enemy activity]; **D1.3.12.11** DK Military Report, 17 Sep 1976 [describing patrol experiences in Phnom Penh, where some workers used electricity to catch fish; many factories used guns and speeding drivers in the capital were a worrying sign]; **D1.3.12.13** DK Military Meeting Minutes, 3 Oct 1976 [report on the shooting of a suspected enemy who was thought to have a grenade]; **D1.3.8.9** DK Military Meeting Minutes, 19 Dec 1976 [General Staff meeting minutes summarising the enemy situation within the country].
- 152 **D1.3.19.1** CPK Central Committee Decision, 30 Mar 1976, EN 00182809 [authorising the General Staff to “smash” individuals within the “Center Military”]. *See also* regular meetings between members of the General Staff and commanders of divisions and independent regiments during which Son Sen or other General Staff representatives summarised the enemy situation within the country, issued orders, and indoctrinated the attendees on CPK policies: **D1.3.27.8** DK Military Meeting Minutes, 16 May 1976; **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 1976; **D1.3.27.11** DK Military Meeting Minutes, 12 Aug 1976; **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976; **D1.3.27.14** DK Military Meeting Minutes, 7 Sep 1976; **D1.3.8.4** DK Military Minutes, 9 Sep 1976; **D1.3.27.17** DK Military Meeting Minutes, 16 Sep 1976; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976; **D1.3.8.6** DK Military Meeting Minutes, 1 Oct 1976; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00183982-94; **D1.3.8.7** DK Military Meeting Minutes, 18 Oct 1976; **D1.3.27.21** DK Military Meeting Minutes, 11 Nov 1976; **D1.3.27.23** DK Military Meeting Minutes, 15 Dec 1976; **D1.3.27.24** DK Military Meeting Minutes, 16 Dec 1976; **D1.3.27.25** DK Military Meeting Minutes, 16 Dec 1976; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977.
- 153 **D1.3.27.1** CPK Standing Committee Meeting Minutes, 9 Oct 75, EN 00183396-97 [Standing Committee meeting discussing the framework of the General Staff and assigning the responsibility to organise the new Army, Navy and Air Force to the General Staff]; **D1.3.8.1** DK Military Meeting Minutes, 3 Mar 1976 [meeting in which Saom (Son Sen) provide instructions regarding Air Force recruitment]; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976 [meeting regarding the deployment of the DK Navy and the enemy situation in the areas under the control of the Navy]; **D1.3.8.5** DK Military Meeting Minutes, 24 Sep 1976 [discussion of training courses run by Chinese experts on the use, repair, and maintenance of artillery]; **D1.3.8.9** DK Military Meeting Minutes, 19 Dec 1976 [minutes of meeting discussing various security issues reported on by RAK Divisions, including description of people who had been arrested in and around Phnom Penh. Describes measures to be taken as well as rules for the conduct of guards on patrol and at checkpoints]; **D54/62** Moeng Vet WRI, A23 [“In the military, there were the army, navy, and air force. These three military forces were under the command of the General Staff”].
- 154 **D1.3.22.1** CPK Statute, Jan 1976, EN 00184046 [Article 28: “The Revolutionary Army of Kampuchea is organized according to democratic centralism. The Party Central Committee designates the implementation of democratic centralism according the specific situation”]; **D1.3.27.1** CPK Standing Committee Meeting Minutes, 9 Oct 1975; EN 00183394 [meeting minutes describing Standing Committee notes: “national defense is being arranged at the Center”]; **D1.3.27.7** CPK Standing Committee Meeting Minutes, 15 May

1975 [Son Sen reporting on defense matters to the Standing Committee]; **D1.3.19.1** CPK Central Committee Decision, 30 Mar 1976, EN 00182809 [authorising the General Staff to “smash” individuals within the “Center Military”]; **D1.3.24.2** *Revolutionary Flag*, Jul 1976, EN 00268945 [“only the Party leads the army; no other organization or individual leads it”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680797-98 [General Staff was in charge of the execution of Pol Pot’s orders, and Son Sen was the one to comply].

155 **D1.3.19.1** CPK Central Committee Decision, 30 Mar 1976, EN 00182809 [authorising the General Staff to “smash” individuals within the “Center Military”].

156 **D1.3.27.1** CPK Standing Committee Meeting Minutes, 9 Oct 1975, EN 00183393, 00183396-97 [Standing Committee meeting discussing the framework of the General Staff and delegating responsibility for the General Staff and security to Son Sen]; **D1.3.19.2** DK Report from Khieu (Son Sen) to Division and Regiment Committees, 3 Sep 1977 [describes instructions from the General Staff to military divisions and regiments. Issued by Son Sen in his capacity as Secretary of the General Staff]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680797-98 [“Regarding the members of the standing committee of the General Staff, there were three first important people: Son Sen, known as brother 89, the secretary [...] General Staff membership lasted for one full regime”]; **D114/158** Kaing Guek Eav alias Duch WRI, A24 [“The Centre army was arranged after 1975. I am talking about the General Staff Committee. The secretary of the General Staff Committee was Son Sen”]; **D54/62** Moeng Vet WRI, A23 [“Son Sen was the commander of the General Staff; he was in overall charge of the military including the infantry”]; **D54/98** Heang Ret WRI, A60 [“Q: Who was Meas Muth’s leader? A60: I only know that above Meas Muth there was the General Staff chaired by Son Sen”].

157 **D114/158** Kaing Guek Eav alias Duch WRI, A24 [“The Centre army was arranged after 1975. I am talking about the General Staff Committee. The secretary of the General Staff Committee was Son Sen. After him, it was Men San alias Ya, the deputy of Son Sen. Then there was Seath Chhe alias Tum, a member”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680797 [“Regarding the members of the standing committee of the General Staff, there were three first important people: Son Sen, known as brother 89, the secretary, Men San alias Ya, deputy secretary and also a full-right member of the central committee, and Seat Chhe alias Tum known as brother 81, the member, and also a reserve member of the Central Committee”].

158 **D54/110** Lon Seng WRI, A9-10 [“Yes. This was not only for Division 164 but for any division belong to the central level. Commanders of those divisions were members of the general staff head quarter. When a division became a division of the central level, the commander of such division would become a member of the general staff committee. Q: Do you know from when to when did Meas Mut become a member of the general staff committee? A10: As from what I know, Bong Mut became a member of the general staff from the time of Phnom Penh liberation in April 1975. He continued to serve in this position until the fall of Khmer Rouge regime”]; **D114/158** Kaing Guek Eav alias Duch WRI, A24 [“The Centre army was arranged after 1975. I am talking about the General Staff Committee. The secretary of the General Staff Committee was Son Sen. After him, it was Men San alias Ya, the deputy of Son Sen. Then there was Seath Chhe alias Tum, a member. These people were permanent staff of the General Staff section. The members of the General Staff Committee were Brother Muth, in charge of the Navy, at seas; Comrade Meth, in charge of air force; and other General Staff Committee members who were just assistants to the General Staff”]; **D114/159** Kaing Guek Eav alias Duch WRI, A23 [“And the reserve members of the General Staff were Meas Muth, Sou Meth, and a number of committee assistants”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680797 [“Regarding the members of the standing committee of the General Staff, there were three first important people: Son Sen, known as brother 89, the secretary, Men San alias Ya, deputy secretary and also a full-right member of the central committee, and Seat Chhe alias Tum known as brother 81, the member, and also a reserve member of the Central Committee. After these people, there were other members including Meas Mut, responsible for navy, Sou Met, responsible for air force [...] Meas Mut and Sou Met were the member of the General Staff responsible for navy and air force”], 00680797-98 [“There were also other assistants all of whom were the secretaries of the divisions including Sun Ty, responsible for logistics, Pech Chhan alias Saom, responsible for administration, Nat responsible for the transfer of people to S-21. Several other people were also appointed assistants such as Chan Chak Krey and Chey Han alias Chhan but these people were kept for observation only”]; **D114/160** Kaing Guek Eav alias Duch WRI, A8 [“First of all, I would like to talk about Meas Muth and Sou Meth. They became the reserved members of the General Staff, but they were not stationed [in Phnom Penh near Borei Keila”]; **D1.3.27.5** CPK Standing Committee Meeting Minutes, 19-21 Apr 1976, EN 00183419 [“3. Organizing the General Staff and the Air Force: [...] Comrade San and Comrade

Nath will only be General Staff cadres, moving around to assist in the General Staff in combat operations, and will not be in personal command of forces”].

159 **D114/159** Kaing Guek Eav alias Duch WRI, A23-24 [“Seath Chhe was arrested and sent to S-21. Before Seath Chhe’s story, there was Men San alias Ya who was removed from being a deputy secretary by Pol Pot and sent to the Northeast Zone to work as a secretary. [...] Q: Now let’s discuss this point slowly. The event that you described earlier happened in 1977. Seath Chhe was arrested in July 1977 and Son Sen left for the battlefield on 17 August 1977. Is that correct? A24: First, I do not remember the arrest of Seath Chhe. Regarding the date when Son Sen left for the battlefield, it was on the 15th not the 17th, maybe in August”].

160 **D114/159** Kaing Guek Eav alias Duch WRI, A23 [“Actually, the [term] permanent General Staff disappeared after Seath Chhe was arrested and sent to S-21. Before Seath Chhe’s story, there was Men San alias Ya who was removed from being a deputy secretary by Pol Pot and sent to the Northeast Zone to work as a secretary. So, the General Staff did not have any permanent [members]. Only Son Sen was the secretary of the General Staff committee”]; **D54/62** Moeng Vet WRI, A22-23, 27 [“As I knew it, Meas Mut was Deputy of the Military General Staff, meaning that he was the deputy of Son Sen. When the Vietnamese struck us along the border, Meas Mut always went to check the situation at the front line. Q: You were the Deputy Office Chairman of Division 117 in charge of logistics. How did you know that Meas Mut was Deputy of the General Staff? A23: First, I would like to tell you about the military structure of Democratic Kampuchea. In the military, there were the army, navy, and air force. These three military forces were under the command of the General Staff. Son Sen was the commander of the General Staff; he was in overall charge of the military including the infantry. Meas Mut was the deputy of Son Sen, in charge of the navy. Sou Met was a member, in charge of the air force. All radio and telegraph communication had to go through the General Staff [...] Q: When did the naval regiment of Pheap arrive in Kratie Province? A27: It was probably at the end of November, 1978”]; **D54/100** Lay Boonhak WRI, A93, 95-96 [“At that time [late 1978], a new cadre came to replace him. Tim Seng came to replace Meas Muth and he was a former manager of the battleship unit. When Tim Seng came to replace Meas Muth, he controlled all military units in Kampong Som [...] Q: Did you know who ordered Tim Seng to replace Meas Muth? A95: As I understood, that was an order from the upper echelon [...] A96: Meas Muth was moved to the General Staff, so he ordered all of work from the upper echelon through Tim Seng”]; **D114/169** Seng Soeun WRI, A5 [“When I arrived in Kratie, Muth, Meas Muth, announced my appointment. Muth was there on behalf of Pol Pot and Nuon Chea. Muth announced the assignment, and after that the Yuon came, and we fled to the Dangrek Mountain Range”], A25 [“Q: What was the role of Meas Muth then? A25: At that time, he held both the Navy and a position called Deputy Minister of Defense acting for Son Sen. Met was the Chairman, and Muth was Deputy and came to organize the Kratie Sector”]; **D54/54** Meas Voeun WRI, A5 [“I noticed his [Meas Muth’s] work reflected the duties of a member of the General Staff Committee because he had the authority to advise other military units such as my Division 1 on maritime operations. Meas Mut reported directly to the General Staff, to Son Sen”], A26 [“During that time in 1978 we were instructed to reduce confrontation on the western border because the conflict on the eastern border was escalating. The General Staff held meetings and gave instructions through Ta Mut and Ta Soeung”]; **D114/186** Sath Chak WRI, A126-27, 129-30 [“I know that in 1978 Meas Muth went to Phnom Penh. I do not know where else he went. Q: How did you know that Meas Muth went to Phnom Penh? A127: I knew about this because commanders at all levels disseminated the information about this to us [...] A129: [...] they said that Meas Muth had moved to Phnom Penh. They also said that Meas Muth had become the Deputy Chief of the Army in Phnom Penh. This is what we were told. I am telling you what I know. Q: You mean that your commanders told you that Meas Muth had moved to Phnom Penh, and that he became the Deputy Chief of Army. Is that correct? A130: Yes, it is”]; **D114/65** Chet Bunna WRI, A9-10 [“Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces [...] A10: At that time regularly they organized a big assembly for the soldiers every trimester, and in that assembly they introduced to us that Meas Muth was Son Sen’s deputy”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974226 [“Q: So Ta Mut was deputy commander in chief [of the General Staff]? A: Yes, he was the deputy commander in chief. Q: Since 1975? A: No. He was promoted later in 1978. From 1975 to 1977, he was in charge of the marines forces-the Unit 164. Q: Was he promoted in 1978? A: At the end of 1978]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115988 [“Q: Did Ta Muth control Kampong Som until 1979? A: Yes, he did. He was removed at the end of 1978. Later on he became the Deputy Chief of the General Staff”]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974120-21 [“Q: Was he [Meas Muth] transferred [to Phnom Penh] as the general commander or what? A: He was on the military committee. Q: So, was Son Sen still in the same position? A: Yes, Son Sen was still in

the same position. In fact, Son Sen was the chief. [...] At that time, the deputy chief was Meas Mut. That's it. Q: And, who else? A: The [committee] member was Sou Samet as Son Sen was in the army. [...] And the navy [committee member] was Meas Mut. [...] And [for] the air force, [it] was Sou Samet [...] Because there were three types of military-army, navy and air force"; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992989 ["Q: After the liberation in 1975, where was Ta Mut enlisted into? A: He was a part of general staff. The division was under supervision of the KR's central committee, [and] not in the zone anymore. [...] [Meas Muth] was in charge of the navy force. He worked with Ta Khieu [Son Sen]. He was a deputy chief of general staff in charge of all fighting directions"]].

161 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-14.00.52 ["Son Sen, the minister of national defence, was transferred to somewhere else. Two of them [Sou Met and Meas Muth] were put in charge of the affairs of the Ministry of National Defence and Muth came to arrange our position and I listened to him while he was reporting to Sou Met. I was sitting nearby him while he was reporting; that's why I knew about his. Q: Let me ask you about -- do you know whether Meas Muth held a position under Son Sen as one of the deputy ministers of defence under Son Sen? [...] A: I did not know whether he was the commander or deputy commander"; **D54/63** Moeng Vet WRI, A31 ["Because in late 1978, Son Sen was sent to Suong without being assigned any clear tasks. At that time, all of the requests to the General Staff were answered by Ta Met and Ta Mut. I knew this from the telegrams"]; **D114/65** Chet Bunna WRI, A12 ["Based on this command structure, we could know that the General Staff also had a similar command structure. There, Son Sen was the chairman of the General Staff and Meas Muth, who was the commander of the Navy Forces, was one of his deputies, and Sou Met, who was the commander of the Air Forces, was another deputy of the General Staff"]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974120-21 ["Q: Was he [Meas Muth] transferred [to Phnom Penh] as the general commander or what? A: He was on the military committee. Q: So, was Son Sen still in the same position? A: Yes, Son Sen was still in the same position. In fact, Son Sen was the chief. [...] At that time, the deputy chief was Meas Mut. That's it. Q: And, who else? A: The [committee] member was Sou Samet as Son Sen was in the army. [...] And the navy [committee member] was Meas Mut. [...] And [for] the air force, [it] was Sou Samet [...] Because there were three types of military-army, navy and air force"]].

162 **D4.1.1020** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976; **D1.3.12.3** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976; **D1.3.14.1** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976; **D1.3.8.4** DK Military Meeting Minutes, 9 Sep 1976 [describes internal enemy situation in Division 164. Son Sen orders the arrest and interrogation of Vung Sruol, who had previously tried to desert]; **D1.3.4.1** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976 [with handwritten note from Khiev (Son Sen)]; **D1.3.2.2** Telegram 10 from 89 (Son Sen) to Mut (Meas Muth), 4 Nov 1976; **D1.3.4.2** DK Report from Khieu (Son Sen) to Dim, 26 Nov 1976 [letter from Son Sen to Comrade Dim, Deputy Secretary of Division 164. The letter first notes that enemy planes have been sighted flying over the off shore islands. It further notes that they want to enter through Koh Kong and warns that "[You] will be informed clearly when Comrade Mut comes back"]; **D1.3.12.18** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977 [with handwritten note from Khieu (Son Sen)]; **D1.3.19.2** DK Report from Khieu (Son Sen) to Division and Regiment Committees, 3 Sep 1977 [describes instructions from the General Staff to military divisions and regiments. Issued by Son Sen in his capacity as Chairman of the General Staff]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978; **D4.1.637** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978; **D1.3.12.2** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 6 Feb (year unknown). *See also* **D54/52** Meas Voeun WRI, A12-13 ["Q: Why did Meas Mut report such events to Brother 89? A12: Meas Mut was responsible for protecting the sea territory and Cambodian territorial waters and Brother 89 was at the General Staff. Q: Who was this Brother 89 on the General Staff? A13: I am not sure, but he could have been Son Sen. According to my knowledge about the command structures, Meas Mut was in the Centre echelon, so he had to report to his upper echelon-Son Sen, who was the General Staff"]; **D54/54** Meas Voeun WRI, A5 ["Meas Mut reported directly to the General Staff, to Son Sen"]; **D54/87** Prum Sarat WRI, A75 ["I heard from the commander of my regiment that Son Sen ordered Meas Mut to lead troops to suppress the rebels in the East Zone led by Sao Phim"]].

163 **D54/37** Soem Ny WRI, A30-31 ["Q: Have you ever heard that Meas Mut was a general military staff? A30: Yes, I have. He had to join monthly meetings with military staff in Phnom Penh. Q: How did you know it? A31: I knew it because my chief, Krin also joined such meetings"]].

- 164 **D22.2.180** Phnom Penh Post, *Interview with Meas Muth*, 2 Aug 2001, EN 00161880 [“Q: According to the report, you attended many general staff meetings with [former Khmer Rouge Defense Minister] Son Sen, at which he revealed the policy towards the enemies of the regime. A: When I came to those meetings, it was only to discuss rice production. [...] As I told you, in the meetings I attended with Son Sen, we discussed whether there was enough rice or not. I was just the head of a division, and I did not attend the secret meetings where the leaders investigated the cases of the enemy”].
- 165 See section **III.3. Meas Muth’s Contributions to Crimes - Participation in Persecution and Execution of Enemies**.
- 166 **D1.3.8.2, D4.1.632** DK Military Meeting Minutes, 1 Jun 1976, EN 00233958; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195340-41; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00183990; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656384; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933835.
- 167 **D54/29** Liet Lan WRI, A3 [“Meas Mut was not always in Kampong Som. He had to travel back and forth between Phnom Penh and Kampong Som. In Phnom Penh, he met with Son Sen at the General Staff”]; **D114/186** Sath Chak WRI, A126-27 [“I know that in 1978 Meas Muth went to Phnom Penh. I do not know where else he went. Q: How did you know that Meas Muth went to Phnom Penh? A127: I knew about this because commanders at all levels disseminated the information about this to us”]; **D54/37** Soem Ny WRI A30-31 [“Q: Have you ever heard that Meas Mut was a general military staff? A30: Yes, I have. He had to join monthly meetings with military staff in Phnom Penh. Q: How did you know it? A31: I knew it because my chief, Krin, also joined such meetings”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974225-26 [“Q: Did he stay in Kampong Som permanently? A: Ta Mut did not stay here in 1978. He went to Phnom Penh”]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974098 [“Q: Who else was in charge of the regiment [140]? A: Tim Seng, but he has died as well. Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh”], EN 00974119 [“So, when was Ta Mut transferred to Phnom Penh? A: Probably in 1977. Q: So, was he in Phnom Penh for a long time too? A: Yes, he was. Q: For how long was he there before the liberation? A: He had been there for more than a year. After he escaped from Phnom Penh in 1979, he ordered the withdrawal of troops from Kampong Som”].
- 168 **D54/100** Lay Boonhak WRI, A93 [“At that time [late 1978], a new cadre came to replace him. Tim Seng came to replace Meas Muth and he was a former manager of the battleship unit. When Tim Seng came to replace Meas Muth, he controlled all military units in Kampong Som”], A95-96 [“Q: Did you know who ordered Tim Seng to replace Meas Muth? A95: As I understood, that was an order from the upper echelon. [...] A96: Meas Muth was moved to the General Staff, so he ordered all of work from the upper echelon through Tim Seng”]; **D54/62** Moeng Vet WRI, A22-23, 27 [“As I knew it, Meas Mut was Deputy of the Military General Staff, meaning that he was the deputy of Son Sen [...] A23: [...] Meas Mut was the deputy of Son Sen, in charge of the navy. Sou Met was a member, in charge of the air force. All radio and telegraph communication had to go through the General Staff [...] Q: When did the naval regiment of Pheap arrive in Kratie Province? A27: It was probably at the end of November, 1978”]; **D114/169** Seng Soeun WRI, A25 [“Q: What was the role of Meas Muth then? A25: At that time, he held both the Navy and a position called Deputy Minister of Defense acting for Son Sen. Met was the Chairman, and Muth was Deputy and came to organize the Kratie Sector”]; **D54/54** Meas Voeun WRI, A26 [“During that time in 1978 we were instructed to reduce confrontation on the western border because the conflict on the eastern border was escalating. The General Staff held meetings and gave instructions through Ta Mut and Ta Soeung”]; **D114/186** Sath Chak WRI, A126-27, 129 [“I know that in 1978 Meas Muth went to Phnom Penh. I do not know where else he went. Q: How did you know that Meas Muth went to Phnom Penh? A127: I knew about this because commanders at all levels disseminated the information about this to us [...] A129: [...] they said that Meas Muth had moved to Phnom Penh. They also said that Meas Muth had become the Deputy Chief of the Army in Phnom Penh”]; **D114/65** Chet Bunna WRI, A9-10 [“Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces [...] A10: At that time regularly they organized a big assembly for the soldiers every trimester, and in that assembly they introduced to us that Meas Muth was Son Sen’s deputy”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974226 [“Q: So Ta Mut was deputy commander in chief [of the General Staff]? A: Yes, he was the deputy commander in chief. Q: Since 1975? A: No. He was promoted later in 1978. From 1975 to 1977, he was in charge of the marines forces-the Unit 164. Q: Was he promoted in 1978? A: At the end of 1978]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115988 [“Q: Did Ta Muth control Kampong Som until 1979? A: Yes,

he did. He was removed at the end of 1978. Later on he became the Deputy Chief of the General Staff”]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974120 [“Q: Was he [Meas Muth] transferred [to Phnom Penh] as the general commander or what? A: He was on the military committee. Q: So, was Son Sen still in the same position? A: Yes, Son Sen was still in the same position. In fact, Son Sen was the chief. [...] At that time, the deputy chief was Meas Mut. That’s it. Q: And, who else? A: The [committee] member was Sou Samet as Son Sen was in the army. [...] And the navy [committee member] was Meas Mut. [...] And [for] the air force, [it] was Sou Samet [...] Because there were three types of military-army, navy and air force”]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992989 [“Q: After the liberation in 1975, where was Ta Mut enlisted into? A: He was a part of general staff. The division was under supervision of the KR’s central committee, [and] not in the zone anymore. [...] [Meas Muth] was in charge of the navy force. He worked with Ta Khieu [Son Sen]. He was a deputy chief of general staff in charge of all fighting directions”].

169 Meas Muth has himself confirmed that he maintained control over Division 164 after he left Kampong Som. However, inconsistent with all other evidence on the Case File, he stated that this occurred in February 1978: **D54/16/1R** Audio Recording of Interview with Meas Muth by David Kattenburg, Apr 2009, 34:37-35:28 [“I was not at Kampong Som. In February 1978 I had left Kampong Som already. Q: Where did he go? A: I was assigned to work in Kratie province near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission in Kratie”]. See also **D54/100** Lay Boonhak WRI, A93, 95-96, 100 [“At that time [late 1978], a new cadre came to replace him [Meas Muth]. Tim Seng came to replace Meas Muth and he was a former manager of the battleship unit. When Tim Seng came to replace Meas Muth, he controlled all military units in Kampong Som [...] Q: Did you know who ordered Tim Seng to replace Meas Muth? A95: As I understood, that was an order from the upper echelon. [...] A96: Meas Muth was moved to the General Staff, so he ordered all of work from the upper echelon through Tim Seng; then Tim Seng controlled the work and passed on those orders [...] Q: Just now, you said that Meas Muth was on the General Staff. How do you know that? A100: After the Vietnamese soldiers attacked in strength, I saw Ta Meas Muth come back about 10 days before the Vietnamese soldiers dropped bombs on Kampong Som in late 1978. I concluded he was probably going to the General Staff Headquarters”]; **D114/186** Sath Chak WRI, A126-127, 129 [“I know that in 1978 Meas Muth went to Phnom Penh. I do not know where else he went. Q: How did you know that Meas Muth went to Phnom Penh? A127: I knew about this because commanders at all levels disseminated the information about this to us [...] A129: Usually, commanders of all levels attended the study sessions at the division once a month. When they came back, they said that Meas Muth had moved to Phnom Penh. They also said that Meas Muth had become the Deputy Chief of the Army in Phnom Penh”]; **D54/87** Prum Sarat WRI, A171-172 [“Q: You stated at the beginning that Meas Mut went to Memot District at the end of 1978 on orders from Son Sen. Did Meas Mut still have the authority to govern the province of Kampong Som when he went to Memot District? A171: With regard to his work, he still had influence and authority -- he was not yet separated from Kampong Som. Q: How did you know this? A172: I knew that via communication radio”]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115988 [“Q: Did Ta Muth control Kampong Som until 1979? A: Yes, he did. He was removed at the end of 1978. Later on he became the Deputy Chief of the General Staff. In 1979, he returned to his original unit. Q: He was in Phnom Penh when he became the Deputy Chief of the General Staff. Did he still have power to give orders? A: No, he didn’t. Another Deputy Commander of the Division took over from him. Q: Who was that person? A: He was H.E. Tim Seng. Q: Was his name Tim Seng? A: Yes, it was. Q: From whom did he receive orders? A: He received military assignments from Ta Muth. Q: But as for other work, did he still report directly to Ta Muth? A: Yes, he did. The person who received orders directly from the higher levels would have to make the reports”]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974098 [“Q: Who else was in charge of the regiment [140]? A: Tim Seng, but he has died as well. Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh”], EN 00974119 [“So, when was Ta Mut transferred to Phnom Penh? A: Probably in 1977. Q: So, was he in Phnom Penh for a long time too? A: Yes, he was. Q: For how long was he there before the liberation? A: He had been there for more than a year. After he escaped from Phnom Penh in 1979, he ordered the withdrawal of troops from Kampong Som. Q: So, was he still in command even though he was in Phnom Penh? A: He was still influential. Q: So, was he still in charge of Division 164 or what? A: Yes, he was in charge of the navy”].

170 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-14.00.52 [“Son Sen, the minister of national defence, was transferred to somewhere else. Two of them [Sou Met and Meas Muth] were put in charge of the affairs of the Ministry of National Defence and Muth came to arrange our position and I listened to him while he

was reporting to Sou Met. I was sitting nearby him while he was reporting; that's why I knew about his. Q. Let me ask you about -- do you know whether Meas Muth held a position under Son Sen as one of the deputy ministers of defence under Son Sen? [...] A. I did not know whether he was the commander or deputy commander"; **D54/62** Moeng Vet WRI, A23 ["Son Sen was the commander of the General Staff [...] Meas Mut was the deputy of Son Sen, in charge of the navy. Sou Met was a member, in charge of the air force"]; **D54/63** Moeng Vet WRI, A31 ["Because in late 1978, Son Sen was sent to Suong without being assigned any clear tasks. At that time, all of the requests to the General [S]taff were answered by Ta Met and Ta Mut. I knew this from the telegrams"]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974120 ["Q: Was he [Meas Muth] transferred [to Phnom Penh] as the general commander or what? A: He was on the military committee. Q: So, was Son Sen still in the same position? A: Yes, Son Sen was still in the same position. In fact, Son Sen was the chief. [...] At that time, the deputy chief was Meas Mut. That's it. Q: And, who else? A: The [committee] member was Sou Samet as Son Sen was in the army. [...] And the navy [committee member] was Meas Mut. [...] And [for] the air force, [it] was Sou Samet [...] Because there were three types of military-army, navy and air force"]; **D114/65** Chet Bunna WRI, A12 ["Based on this command structure, we could know that the General Staff also had a similar command structure. There, Son Sen was the chairman of the General Staff and Meas Muth, who was the commander of the Navy Forces, was one of his deputies, and Sou Met, who was the commander of the Air Forces, was another deputy of the General Staff"].

171 **D54/29** Liet Lan WRI, A3 ["Seng told me Meas Mut was an assistant to the General Staff. Seng knew about this because, when Meas Mut was absent from Kampong Som, he was in charge"], A10 ["Q: Could you please explain what is meant by assistant to headquarters? A10: According to my understanding, the role of an assistant to headquarters was to help provide support in mobilizing forces, help formulate combat strategies, help provide logistics support, food supplies and the provision of ammunition. These were all the main tasks for the military"].

172 **D54/62** Moeng Vet WRI, A22, 25 ["Meas Mut was Deputy of the Military General Staff, meaning that he was the deputy of Son Sen. When the Vietnamese struck us along the border, Meas Mut always went to check the situation at the front line [...] A25: From what I knew, in the name of Deputy of the General Staff, he had to go to examine the situation locations where disputes occurred along the border"]; **D54/54** Meas Voeun WRI, A26 ["During that time in 1978 we were instructed to reduce confrontation on the western border because the conflict on the eastern border was escalating. The General Staff held meetings and gave instructions through Ta Mut and Ta Soeung"]; **D54/63** Moeng Vet WRI, A19 ["Q: Since when was Meas Mut involved in responsibility for the eastern border? A19: As far as I know, Meas Mut began to be involved in responsibility for the eastern border in 1978 when the Vietnamese soldiers were striking strongly"]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992989-90 ["Q: What direction was Ta Mut in charge of? A: He was in charge of Kampong Som. It was not until 1978 that he went to Kratie after Von Vet was arrested. Q: He was in charge of Kratie direction? A: Yes! He was in charge of the border"].

173 **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.41.46-09.46.58 ["Q: Yesterday, answering a question from Judge Lavergne, you indicated that the three people you sent reports to were either Meas Muth, either Sou Met or Son Sen. Did I understand your statement correctly? A. That is true, what I said. Q. Do I understand correctly if I interpret this as saying these are the only hierarchical superiors with which you had direct communication? A. The three uncles -- concerning the three uncles, I would make daily reports to the general staff, and one of them had the authority to receive my reports. And usually the reports reached those three individuals, and whether or not they responded to the reports depended on them. Usually I was required to make daily reports to them. I had to make the reports concerning how much ammunitions and supplies I needed. Again, since they were my superiors, one of them had the authority to receive my reports. If one was absent, the others who were there in the office would receive my reports"]; **D54/63** Moeng Vet WRI, A11-13 ["Q: In the transcription of your interview with the Documentation Center of Cambodia in English on page 21, you said that Meas Mut ordered four aircraft to bomb the Vietnamese soldiers. Why was the order issued by Meas Mut and not by sou Met? A11: Because Meas Mut worked on the General Staff, so he had authority to order three branches of the military forces. Q: Sou Met also worked in the General Staff, and he also had such authority. Why did Meas Mut have to get involved in the events of October 1978 in Kratie Province and order the aircraft to bomb the Vietnamese soldiers? A12: Because our division sent a telegram to Division 502 to ask for help, but they ignored our request. So we requested help from Meas Mut, and he told Rum to wait a bit -- that afternoon he sent the aircraft to help us. Q: How do you know the sequence of these events?

A13: As a messenger, I worked in the office with the telegraph operator and the commander, so I knew what happened in that office”].

174 **D114/169** Seng Soeun WRI, A5, 23 [“When I arrived in Kratie, Muth, Meas Muth, announced my appointment. Muth was there on behalf of Pol Pot and Nuon Chea. Muth announced the assignment, and after that the Yuon came, and we fled to the Dangrek Mountain Range [...] Q: Did you think that the role you were assigned was an important and high-level role in Kratie province? A23: I did not know whether it was low or high. Muth was acting in the name of the government, what was then called the government. Pol Pot, the leader, did not come in person. They had Muth came to organize both the military and civilian side in Kratie Sector. The Sector Military and the divisions were in the hands of Muth”]; **D54/87** Prum Sarat WRI, A70-71, 73-75 [“Q: Do you know who the direct commander of Meas Mut was? A70: Son Sen. Q: Do you know the role and function of Son Sen? A71: Son Sen was in charge of national defence [...] A73: To my knowledge, at the end of 1978, Meas Mut went to Memot District, Kampong Cham Province, to act for Son Sen. [...] A74: I knew it through Saroeun, the regiment chairman. He told me that Meas Mut went to Memot District on Son Sen’s command. [...] A75: [...] I heard from the commander of my regiment that Son Sen ordered Meas Mut to lead troops to suppress the rebels in the East Zone led by Sao Phim”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753837-38 [“At the time, Meas Muth came [to Kratie] to manage works on behalf of Pol Pot. [...] Bang Muth came to organize the army and assigned me to do this and that. [...] [He] came to assign me when I arrived on 5 December 1978”].

175 **D54/87** Prum Sarat WRI, A70-71, 73-77, 84 [“Q: Do you know who the direct commander of Meas Mut was? A70: Son Sen. Q: Do you know the role and function of Son Sen? A71: Son Sen was in charge of national defence [...] A73: To my knowledge, at the end of 1978, Meas Mut went to Memot District, Kampong Cham Province, to act for Son Sen. [...] A74: I knew it through Saroeun, the regiment chairman. He told me that Meas Mut went to Memot District on Son Sen’s command. [...] A75: I heard from the commander of my regiment that Son Sen ordered Meas Mut to lead troops to suppress the rebels in the East Zone led by Sao Phim. As you know from the above, the first enemy of Democratic Kampuchea was Vietnam, and the second enemy was the internal enemy. I heard about the suppression from Son Sen when I attended education sessions organised by the General Staff in Phnom Penh. Son Sen confirmed that Sao Phim had already been put down. Q: Did Son Sen tell you what Meas Mut would be doing in Memot District? A76: At the end of 1978, Meas Mut went to Memot District to serve as the commander at a time when events were taking place in the East Zone. Q: Where was Son Sen at the time? A77: He was in Phnom Penh. [...] Q: Did you know the soldiers whom Meas Mut led to Memot District? A84: No, I did not know. I just knew that Meas Mut went there with some soldiers from Kampong Som and some from the General Staff, but I do not know the unit numbers and their commanders”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974225-26 [“Q: Did he stay in Kampong Som permanently? A: Ta Mut did not stay here in 1978. He went to Phnom Penh. Q: When he went to Phnom Penh, who was in charge there? A: Bang Seng and Bang Saroeun. They controlled the vessels and the islands. [...] Q: When did Ta Mut go to Phnom Penh? A: He had gone to Phnom Penh around two or three months apart as the situation was in chaos abruptly. Q: Did they go to Phnom Penh only two or three months before the fall of the regime? A: Yes, only two or three months. He also went to Memot. Q: Did Ta Mut go to Memot as well? A: He replaced Son Sen”].

176 *See section VIII.I. Purge of Division 117 and Sector 505. See also D114/297.1.27* Seng Soeun, T. 29 Aug 2016, 13.46.29-13.50.40 [“Four of us were sent by Phon (phonetic) to Kratie and Muth was promoted to the deputy secretary of the sector and Pheap (phonetic) was promoted to the secretary of the sector. Pheap (phonetic) came from the navy with Muth. And I was promoted to be in charge of the sector office. And Meas Muth was the one who presided over the announcements of the promotion in Kratie and that took place after the sector committee had been -- the previous sector and district committees had been removed and Meas Muth presided over the promotion ceremony on behalf of Pol Pot; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.35.51-09.39.48 [“Q: Thank you. And after these men were sent to Phnom Penh from Kratie, whether they were on the same or different planes, after that happened, did you ever have a meeting with Meas Muth? A: I told the interviewer in the previous interviews I only had a meeting with him once [...] Q: How long did Meas Muth speak for at that meeting? How long did he speak? A: He was there not more than one hour. I can say he was there for perhaps one hour. He convened the meeting among everyone from the office. The meeting was to declare that leaders of -- commanders of divisions had to be replaced with the new ones. Drivers, messengers and other staff, people from the hospital, were called to the meeting and we were told that all our leaders were traitors and there were new replacements; for example, Nhan would replace the old divisional commander. And after we were informed of the issue, we were assigned to move to the location,

the designated location, for example, to Stung Treng or to any other direction. The meeting, as I said, lasted for one hour at the most, because we were in a hurry to move on to our specific or respective locations”]; **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.52.20-09.54.38 [“I want to say that Thy and Kung were the personal messengers of Muth. Muth was at Kou Loab in Sambour in the north, and I was at Kratie. And at the time, Thy and Kung were coming from 502, the airfield. So I thought that the message was sent through 502, and Thy and Kung were sending the message to us. The message of M-870, the one that concerned message, included Rom, the name -- the name Rom, and other individuals, to go to a specific location”]; **D54/62** Moeng Vet WRI, A24, 29-30, 32-33, 38-39 [describing the composition of the group of arrested cadres sent to Phnom Penh by plane for a meeting, the fact that the letter to invite them to Phnom Penh was delivered by Meas Muth’s messengers and that they were ultimately executed at S-21]; **D54/23** Pak Sok WRI, A8-9 [“Meas Muth was sent to Kratie because at that time the arrests of cadres surged [...] A9: He went there in late 1978”]; **D114/169** Seng Soeun WRI, A5, 23, 30 [“When I arrived in Kratie, Muth, Meas Muth, announced my appointment. Muth was there on behalf of Pol Pot and Nuon Chea. Muth announced the assignment, and after that the Yuon came, and we fled to the Dangrek Mountain Range [...] A23: [...] They had Muth came to organize both the military and civilian side in Kratie Sector. The Sector Military and the divisions were in the hands of Muth [...] Q: How did you learn that the nephew and the cousin were arrested? A30: Oeung told me when I arrived. Two or three days later, Muth told me that he had killed Oeung. Muth was the one who sent those arrestees to Phnom Penh by plane. [...] I want to add for your understanding that Muth sent them by plane. Muth organized that”]; **D114/170** Prum Mon WRI, A20, 35-36 [“Q: was he [your husband] the Commander of Division 117? A20: Yes, he was. [...] A35: [...] He [Soung, husband’s messenger] told me that my husband was taken to attend a study session. [...] A few days later, I was told that my husband was arrested. He was not brought to a study session. [...] A36: [...] Lim [Commander of Regiment] told me that Ta Muth ordered to arrest my husband”]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992990 [“It was not until 1978 that he [Meas Muth] went to Kratie after Von Vet was arrested”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753837-38 [“At the time, Meas Muth came [to Kratie] to manage works on behalf of Pol Pot. [...] Bang Muth came to organize the army and assigned me to do this and that. [...] [He] came to assign me when I arrived on 5 December 1978”].

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D114/297.1.24 Moeng Vet, T. 28 Jul 2016, 09.41.46-09.46.58 [“[Meas Muth, Sou Met and Son Sen] -- concerning the three uncles, I would make daily reports to the general staff, and one of them had the authority to receive my reports. And usually the reports reached those three individuals, and whether or not they responded to the reports depended on them. Usually I was required to make daily reports to them. I had to make the reports concerning how much ammunitions and supplies I needed. Again, since they were my superiors, one of them had the authority to receive my reports. If one was absent, the others who were there in the office would receive my reports”]; **D54/63** Moeng Vet WRI, A11-19 [“Meas Mut worked on the General Staff, so he had authority to order three branches of the military forces [...] A12: [...] our division sent a telegram to Division 502 to ask for help, but they ignored our request. So we requested help from Meas Mut, and he told Rum to wait a bit -- that afternoon he sent the aircraft to help us. Q: How do you know the sequence of these events? A13: As a messenger, I worked in the office with the telegraph operator and the commander, so I knew what happened in that office. Q: When you said that Meas Mut ordered Rum to wait, did he communicate via telegram or radio? A14: He replied back via telegram. Q: Were the reports sent from Division 117 to Meas Mut on a daily basis, or were they sent only when something happened? A15: Before the fighting, the reports were routinely sent on a daily basis, but after the fighting started, reports were sent every time anything happened. Division 117 was directly under the command of the General Military Staff, not the Zone. Q: Were the reports sent to Meas Mut, the General Military Staff, or both? A16: The reports were sent to the General Staff, not to any specific person, but we knew that a person who got the telegrams worked for someone. For example Thi and Kung were Meas Mut’s messengers. Q: How did you know that Meas Mut was the one who told Rum in the telegram to wait for the aircraft? A17: I did not know the number of the telegram, but I saw the telegram. Q: Do you remember Meas Mut’s code number in the telegram? A18: No, I do not. I just know that he was called 164. Q: Since when was Meas Mut involved in responsibility for the eastern border? A19: As far as I know, Meas Mut began to be involved in responsibility for the eastern border in 1978 when the Vietnamese soldiers were striking strongly”]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992998 [“Ta Mut ordered the air force to bombard [the place]. 4 planes were sent for bombardment, but only one plane came back to Phnom Penh”].

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D4.1.861 *Revolutionary Flag*, Aug 1975, EN 00401488, KH 00063323-24, FR 00538963 [“On 22 July 1975 on the occasion of the ceremony of the Communist Party of Kampuchea Center to establish the Revolutionary

Army, the comrade chairman of the High-Level Military Committee of the Party convened an important political conference of the Communist Party of Kampuchea Center for approximately 3,000 representatives of every unit of the Revolutionary Army. The complete content of this important conference was as follows: [...] 4. The new missions of our Revolutionary Army”]; **D98/3.1.20** Chhaom Se, T. 11 Jan 2013, 11.38.49, 11.50.33-11.52.30 [the Olympic Stadium assembly held related to the “establishment of the army” and the entire CPK leadership was present], 14.01.48-14.06.23, 14.11.50 [confirming that the 22 July 1975 RAK conference described in the August 1975 Revolutionary Flag corresponded to the assembly he attended although he first thought it was in September 1975]; **D4.1.801** Chhaom Se WRI, A3 [“Division 801 was created in Phnom Penh during the General Assembly at the Olympic Stadium during approximately September. The Special Military Zone had three divisions: Division 703, Division 605, and Division 801”]; **D4.1.805** Chhaom Se WRI, A3-4 [“Q: In the interview on 31st October 2009, you said that the Division 801 was created during the Great Assembly of the Party in September 1975. [...] A3: The Great Assembly was held in September 1975. The commanders of the division level down to the company level from all divisions attended it. As a company deputy commander in Division 801, I also attended [...] The purpose of that Great Assembly was to talk about the history of the armed forces and their new work, and to announce the leadership composition of the Party Centre to the cadres [...] At that time they announced the creation of the Special Zone and the merging of the Brigade 801, Brigade 703 and Brigade 605. The vanguards (the Centre armed forces) composed of 12 divisions which mobilized from place to place throughout the country [...] After the Great Assembly, they decided to send Brigade 801 to Rattanakiri [...] A4: Son Sen, the Minister of Defense, was the person who organized the Great Assembly. He made a long speech to [the Assembly]; and the last person addressed [the Assembly] was Pol Pot”]; **D4.1.454** Koy Mon WRI (Division 170), EN 00272715, KH 00195436 [“In mid 1975, Pol Pot called military commanders/chiefs from all units, including from the central army and zone army units to attend the conference at Olympic Stadium. The conference [...] also proposed plans for the central and zone armies to promote production and do rice farming”]; **D4.1.827** Him Horn WRI, EN 00425235-36, KH 00422488 [describing a late 1975 meeting at Olympic Stadium about “the transfer of the army to the Party Center” at which Pol Pot, Nuon Chea, Ieng Sary, and Khieu Samphan were present and during which he heard Nuon Chea talking about the transfer of the army to the Party Center under the supervision of Pol Pot”]; **D4.1.794** Ung Ren WRI, EN 00408399, KH 00398517 [“During the announcement of [the appointment of] Brigade 801, all senior leaders participated; they were Pol Pot, Nuon Chea, Ieng Sary, Son Sen, who announced the appointment at the Olympic Stadium about 15 days after the liberation of Phnom Penh”]; Ung Ren clarified the time period at the hearing: **D98/3.1.20** Ung Ren, T. 11 Jan 2013, 09.09.08-09.12.30 [claiming that the meeting at Olympic Stadium took place quite some time after leaving the hospital in May 1975]; **D1.3.17.4** Huy Vannak, *The Khmer Rouge Division 703*, EN 00081292 [describes that on 22 July 1975 the 12th Division became the 703rd Division]; **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00237731.

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D114/285 Prum Sarat (Bun Sarath) WRI, A6, 103 [“At that time, from 1974 to April 1975, Division 3 no longer existed. Its name was changed to Division 164 [...] A103: Historically, the old Division 3 did not have Regiment 140. The rest were the same. I would like to confirm again about the earlier question. Division 3 was in place from 1974 to 1975. In July, it changed its name to Division 164”]; **D54/47** Em Sun WRI, A18-19 [“In August 1975, a new division, Division 164, was established [...] A19: Moeun Mon [...] the commander of a company, and Heng Hok was the commander of another company of Battalion 480. They told me that Division 3 had been changed to Division 164, and that a new naval brigade, Brigade 140, had also been established”]; **D2/8** Say Born WRI, A43 [“I did not remember clearly when they changed the names of those units, but when we arrived in Kampong Som, they told us that the Division 3 was changed to the Division 164, and Regiment 20 was changed to Regiment 161, Regiment 21 was changed to 162, and Regiment 22 was changed to 163”]; **D114/186** Sath Chak WRI, A16 [“At that time, after the liberation in 1975, soldiers were recruited for the Navy. All the soldiers in Division 3 came to Kampong Som. That division was commanded by Meas Muth. All of the soldiers in Division 3 were integrated into the Navy. Afterwards, Division 3 was relocated and stationed in Kampong Som. The unit was restructured while its name was changed to Division 164”]; **D54/50** Meas Voeun WRI, A4 [“When I asked them about the Division 164, they said that division was under Ta Mut. I thought at the time that Division 164 might have originated from Division 3 as both were under Meas Mut’s command”]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971209 [“Q: Was there a division unit formed when you arrived in Kampong Som? A: In Kampong Som, there was Division 164. During the attack into Phnom Penh, there was also a division unit, but it was Division 3 at that time. Q: Yes. A: After we had arrived in Kampong Som, the Division 3 changed to Division 164”].

- 180 **D114/65** Chet Bunna WRI, A9 ["The Division 3 was under the Southwest Zone. But after this Division 3 had changed its name to become Division 164, it was under the General Staff of the National Armed Forces"]; **D54/7** Dol Song WRI, A6 ["After 1975, Division 3 was changed to Division 164, a marine force. At that time, Division 164 was no longer a division of the Southwest Zone"]; **D4.1.859** Kaing Guek Eav alias Duch WRI, EN 00403890 ["Meas Mut's unit was under the supervision of Son Sen, as Chief of general staff"]; **D54/50** Meas Voeun WRI, A6 ["As far as we knew, the Division 164 was a Centre division and had authority over the other divisions"]; **D54/52** Meas Voeun WRI, A4, 6, 12-13 ["Ta Mut was in charge of the navy at the echelon of the Center [...] A6: Meas Mut was in the Centre echelon, and he had ships and other means to protect Cambodian territory. [...] Q: Why did Meas Mut report such events to Brother 89? A12: Meas Mut was responsible for protecting the sea territory and Cambodian territorial waters and Brother 89 was at the General Staff. [...] A13: [...] Meas Mut was in the Centre echelon, so he had to report to his upper echelon-Son Sen, who was the General Staff"]; **D54/54** Meas Voeun WRI, A4 ["Meas Mut was commander of Division 164, which was directly under the General Staff and the Centre. Division 164's status was different from that of my Division 1. As for me, I was only a member of the Division 1 committee, and my division was under the West Zone. My division Zone echelon and was lower than that of Meas Mut's Division, which was at Centre echelon"]; **D114/286** Heang Ret (Reth) WRI, A30 ["The Division was also under the Centre. But I'm sure about the Section. Division 164 was supervised by the Military General Commander. For military, they went to the Military General Commander, and for administration or province, they went to their administration. As I knew, General Commander was Son Sen, and he worked only for the military"]; **D54/24** Pak Sok WRI, A16 ["The list was a report on the units under the command of Division 164, which Ta Mut organised into the army of the Centre"]; **D114/103** Liet Lan WRI, A31-32 ["Meas Muth also commanded Division 164, which was regarded as a Centre Division. Q: What did 'Centre Division' mean? A32: The division was under the control of the Central Committee"]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992989 ["Q: After the liberation in 1975, where was Ta Mut enlisted into? A: He was a part of general staff. The division was under supervision of the KR's central committee, [and] not in the zone anymore"].
- 181 **D54/33** Ing Chhon WRI, A20 ["At that time, Dim and his 700 soldiers arrived from the East Zone. These soldiers from the East Zone were combined with those of Division 3 to create Division 164"]; **D114/285** Prum Sarat (Bun Sarath) WRI, A158 ["Later, they selected an additional 700 forces from the East Zone to attend the other training. The General Staff arranged it and sent the forces there. The two forces were combined together. There were 700 forces from the East Zone"]; **D54/97** Khoem Yat WRI, A8 ["Not all Regiment 52 personnel were sent to Kampong Som. As I knew it, personnel selected were from different battalions to be sent all to Kampong Som, except for the special companies and special battalion. In total, about 700 soldiers were sent to Kampong Som"]; **D114/95** Yoem Sroeung WRI, A51-52 ["When it was still in Regiment 61, there were no new soldiers; but when Regiment 140 was created, soldiers from the East came to join the navy [...] A52: When we were at Regiment 140, they sent about 500 to 600 soldiers from the East Zone to join the navy"]; **D54/29** Liet Lan (Nam Lan) WRI, A19 ["Dim came to Kampong Som with about two battalions of soldiers. He arrived from the East Zone when Division 164 was founded. Phnom Penh collapsed after he had been in Kampong Som for a month"]; **D54/8** Dol Song WRI, A28 ["I think it was around the middle or end of 1975 when the East Zone people arrived at Stueng Hav"]; **D59/1.1.12** Nob Hal DC-Cam Statement, EN 00968417, KH 00926642 ["Q: I want to seek your clarification. Did Division 164, when changing its name to Division 3, include any other groups? A: Oh, they were taken from the East"]; **D54/96** Teng Sarim alias Chim Chroeun WRI, A20-21 ["All the personnel in the entire Regiment 152 under the command of Dim were sent to Kampong Som, nearly 1,000 [...] A21: The members of Regiment 152 were not only from Sector 22; they came from the entire East Zone"]; **D54/44** Lon Seng WRI, A5 ["Yes, 1500 soldiers from the East Zone were sent to my unit [...] They came in two groups. There were 700 soldiers in the first group and 800 soldiers in the second group. I do not remember clearly in which year they came. However, it must have been between 1975 and 1977, as they arrived before I left Division 164 for Phnom Penh in 1977"].
- 182 **D114/186** Sath Chak WRI, A16 ["At that time, after the liberation in 1975, soldiers were recruited for the Navy. All the soldiers in Division 3 came to Kampong Som. That division was commanded by Meas Muth. All of the soldiers in Division 3 were integrated into the Navy. Afterwards, Division 3 was relocated and stationed in Kampong Som. The unit was restructured while its name was changed to Division 164"]; **D54/47** Em Sun WRI, A18-19 ["In August 1975, a new division, Division 164, was established [...] A19: [...] Moeun Mon [...] the commander of a company, and Heng Hok was the commander of another company of

Battalion 480. They told me that Division 3 had been changed to Division 164, and that a new naval brigade, Brigade 140, had also been established”]; **D54/50** Meas Voeun WRI, A4 [“When I asked them about the Division 164, they said that division was under Ta Mut. I thought at the time that Division 164 might have originated from Division 3 as both were under Meas Mut’s command”]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971209 [“Q: Was there a division unit formed when you arrived in Kampong Som? A: In Kampong Som, there was Division 164. During the attack into Phnom Penh, there was also a division unit, but it was Division 3 at that time. Q: Yes. A: After we had arrived in Kampong Som, the Division 3 changed to Division 164”]; **D4.1.759** Kong Chay US POW/MIA Statement, EN 00387269, KH 00658142 [“Mr Chay clarified the organization of the 3rd Division prior to and following the fall of Phnom Penh. The 3rd Division transferred to the Cambodian Navy and renamed the 164th Division”].

183 **D54/51** Meas Voeun WRI, A7 [“[Pol Pot] said about, the roles and responsibilities of the navy. They were to protect the territorial waters and the islands and to reconstruct the country”]; **D54/52** Meas Voeun WRI, A12 [“Meas Mut was responsible for protecting the sea territory and Cambodian territorial waters”]; **D1.3.33.7** Kaing Guek Eav alias Duch Military Court Statement, EN 00184830 [“Meas Mut was the Commander of Naval forces”].

184 **D54/98** Heang Ret WRI, A38 [“Meas Muth was appointed commander of Division 3 in 1973 when this division was established”]; **D114/181** Sem Kol WRI, A6-8 [“Q: At the time, did you know Meas Muth? A6: Yes, I did. Q: What was his position? A7: He was in Brigade 3. The brigade commanded three regiments. That was in 1973. Q: Did he command your regiment? A8: He commanded the whole brigade. In that brigade, he commanded the entire forces, throughout Takeo”]; **D54/43** Lon Seng WRI, A5 [“Division 3 was a division under the Southwest Zone which had been established by Ta Mok in 1973 [...] Ta Mok established Division 3 and appointed Meas Mut as its chief”].

185 **D114/82** Keo San WRI, A5 [“The Navy was established in 1975. Division 3 had the jurisdiction over the Navy commanded by Meas Muth”]; **D54/51** Meas Voeun WRI, A1 [“Meas Mut was announced as the navy commander [in 1975]”].

186 **D1.3.12.1** DK Report from Teanh, 4 Jan 1976, EN 00233962 [listing Meas Muth as the commander of Division 164]; **D1.3.30.2** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824 [Meas Muth’s monthly report in respect to Division 164 addressed to Brother 89]; **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357; **D114/215** Meas Im WRI, A26 [“Q: As far as you know, is it correct that after 17 April 1975, Meas Muth have charge of Division 3/Division 164 for a whole year, that is for 1975? A26: He had charge there”]; **D54/87** Prum Sarat WRI, A44-45 [“Q: What was the name of the Division 164 Commander? A44: His name was Meas Mut. Q: As far as you know, from which period to which period did Meas Mut serve as Division 164 Commander? A45: Meas Mut served as Division 164 Commander from June 1975 to the end of 1978”]; **D114/82** Keo San WRI, A5 [“The Navy was established in 1975. Division 3 had the jurisdiction over the Navy commanded by Meas Muth”]; **D54/88** Soem Ny WRI, A27-29 [“When I arrived in the East Zone, I was assigned to Unit 164. Q: At that time, did you know where Meas Mut was? A28: Meas Mut was in Kampong Som then. I saw only Ta Ren there. Q: How did you know that Meas Mut was in Kampong Som at that time? A29: I knew that because my commander was in contact with Meas Mut by telegraph. This was in December 1978”]; **D54/31** Soem Ny WRI, A7 [“Q: During which period of time, were Meas Mut’s house and the headquarters located near Phsar Leu Market? A7: Meas Mut’s house and his office were located there from 1975 until the end of 1978 when I was sent to the Vietnamese border”]; **D114/186** Sath Chak WRI, A16 [“At that time, after the liberation in 1975, soldiers were recruited for the Navy. All the soldiers in Division 3 came to Kampong Som. That division was commanded by Meas Muth. All of the soldiers in Division 3 were integrated into the Navy. Afterwards, Division 3 was relocated and stationed in Kampong Som. The unit was restructured while its name was changed to Division 164”]; **D54/23** Pak Sok WRI, A1 [“Meas Mut was chairman of Division 164 from 1975 to 1979”]; **D114/181** Sem Kol WRI, A11 [“Q: For how long were you in the unit under the command of Meas Muth? A11: It was for a long time; until 1979. He commanded the naval forces at sea until 1979”]; **D114/89** Seng Sin WRI, A15, 18, 66 [“Q: Do you know which division and brigade Company 2 was in? A15: In Division 164, Meas Muth was the Overall Commander. [...] Q: Who told you that Meas Muth was the Commander? A18: Bun Thoeun did [...] Q: How did you know Meas Muth? A66: He declared that he had been a Division 164 Commander since the formation of the unit. I saw him in the meeting when the three units were merged”].

187 **D54/62** Moeng Vet WRI, A15 [“After April 1975 he [Meas Muth] went to Kampong Som”]; **D114/286** Heang Ret (Reth) WRI, A35-36 [“Q: Regarding dates, from the previous interview you told me that you

stayed in Phnom Penh for one day after Phnom Penh fell. Then you travelled for four days to Kampong Som. Do you remember how many days later Ta Muth arrived Kampong Som? A35: I arrived over there before Ta Mok. They came to pick me up from Dos Kanhchor. Ta Mok drove a Jeep to pick us to Kampong Som. I did not know when Ta Muth got there. I only saw him at the meeting at a later date. Q: When you first saw Ta Muth at Kampong Som, how many weeks was it after you had been there? A36: It was about two or three weeks after my arrival”; **D54/100** Lay Boonhak WRI, A88-89 [“Division 3 was re-designated Division 164 when moved to Kampong Som. The former commander’s name was Ta Rin. When Division 3 moved to Kampong Som, Ta Muth was the commander. Q: When did they move? A89: When Division 3 was fighting in Phnom Penh, Ta Rin was the commander. When Phnom Penh was liberated in 1975, Ta Muth was commander”]; **D114/186** Sath Chak WRI, A16 [“At that time, after the liberation in 1975, soldiers were recruited for the Navy. All the soldiers in Division 3 came to Kampong Som. That division was commanded by Meas Muth. All of the soldiers in Division 3 were integrated into the Navy. Afterwards, Division 3 was relocated and stationed in Kampong Som. The unit was restructured while its name was changed to Division 164”]; **D22.2.182** Meas Muth US POW/MIA Statement, EN 00249704 [“When Phnom Penh was liberated on 17 April 1975, the 3rd division was ordered to deploy to Kampong Som”].

188 **D54/33** Ing Chhon WRI, A10 [“Division 3 was under Ta Mut and was located somewhere in Kampong Som Town”]; **D54/100** Lay Boonhak WRI, A88-89 [“Division 3 was re-designated Division 164 when moved to Kampong Som. The former commander’s name was Ta Rin. When Division 3 moved to Kampong Som, Ta Muth was the commander. Q: When did they move? A89: When Division 3 was fighting in Phnom Penh, Ta Rin was the commander. When Phnom Penh was liberated in 1975, Ta Muth was commander”]; **D114/186** Sath Chak WRI, A16 [“At that time, after the liberation in 1975, soldiers were recruited for the Navy. All the soldiers in Division 3 came to Kampong Som. That division was commanded by Meas Muth. All of the soldiers in Division 3 were integrated into the Navy. Afterwards, Division 3 was relocated and stationed in Kampong Som. The unit was restructured while its name was changed to Division 164”]; **D59/1/1.29** Nget Chanthau DC-Cam Statement, EN 00968434 [“[Meas Muth] was re-assigned to Division 164 stationed in Kampong Som”].

189 **D114/16** Sok Vanna WRI, A14 [“In fact, no ordinary people lived in Kampong Som or on the islands: there were only soldiers. Ordinary people lived in villages such as Thma Thorn, Pou Thoeung, Dei Edth Villages, and so on”]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115988 [“Only soldier families were living there [Kampong Som]”].

190 **D54/33** Ing Chhon WRI, A10-11 [“Division 3 was under Ta Mut and was located somewhere in Kampong Som Town, but I did not know its exact location. Q: Had Division 3 already been stationed there in Kampong Som by the time you saw the people being evacuated from Kampong Som? A11: When the soldiers of Division 3 reached Kampong Som, they ordered the evacuation of people from the town”].

191 **D54/50** Meas Voeun WRI, A25 [“I met Meas Mut once in 1975 when the conference was conducted at the Olympic Stadium. The infantry forces, naval forces, and the air force were established at the time”]; **D54/51** Meas Voeun WRI, A1 [“Q: Yesterday afternoon before we finished the interview, we talked about the assembly which was held at the-Olympic Stadium. At that time, you said you saw Meas Mut at that assembly too. Could you explain his position and duty in that assembly? A1: As I said yesterday, the assembly was organised to celebrate the anniversary of the establishment of the infantry, air force, and navy, and to celebrate the anniversary of the 17 April 1975 triumph. During that assembly, Meas Mut was announced as the navy commander].

192 **D54/51** Meas Voeun WRI, A1-5, 7 [“During that assembly, the symbol of each branch of the armed forces was handed over to its respective commander. At the time, Meas Mut was announced as the navy commander, and he was the receiver of that navy symbol [...] Q: Do you remember who announced the most senior commanders responsible for the army, navy, and air force of Democratic Kampuchea at that time? A2: Pol Pot was the announcer. Q: Do you remember who the commanders in charge of the army, navy, and air force of Democratic Kampuchea were? A3: Each military branch had a three-person command committee. In the air force, they were Sou Met, commander, and his deputy, Lvey [...] The army command committee consisted of Ren [deceased], the commander, and his deputy, Chakrei [...] Meas Mut, the commander of the navy, was Ta Mok’s brother-in-law. [...] A4: Pol Pot handed out the military insignias. The announcement at that time also mentioned Son Sen as the Chief of General Staff, and the entire military was under the command of the General Staff [...] Q: What were the military insignias provided to each command committees made of? A5: They looked like sculptures which were put in glass boxes, but I do not know what the sculptures were made of [...] Q: Did Pol Pot announce the establishment of the navy and its duties and

tasks? A7: I do not remember the details about what Pol Pot said, but I remember the important points that he said about, the roles and responsibilities of the navy. They were to protect the territorial waters and the islands and to reconstruct the country”].

193 **D114/65** Chet Bunna WRI, A11 [“During the assembly they also spoke about defending the sea and the maritime borders which was about 400 kilometers long, and about defending the nearly 200 islands of Cambodia”]. *See also* Meas Muth’s communication in respect to the areas under his control: **D1.3.30.2** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824 [Division 164 monthly report about the military situation of Cambodian islands such as Koh Tral, Koh Ses, Koh Thmey, Koh Sampauch, Koh Rung, Koh Ream, Rung Krao]; **D1.3.12.3** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976, EN 00233903 [report from Meas Mut to Brother 89 (Son Sen) describing the situation in the southwest of Koh Seh Island; in the west and north of Veal Rinh]; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234012 [Meas Muth presents a deployment of armed forces at Kampong Som City, Ream, Kang Keng, and on several islands, such as Koh Wai, Koh Taing, Koh Pring, Koh Rong, and Koh Seh]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647-48 [Meas Muth reports on the situation in Koh Tang, Koh Yum, Koh Sdech, and Kampong Saom]; **D1.3.34.14** Telegram 15 from Comrade Dim to Brother Mut (Meas Mut), 6 Oct 1976, EN 00233661 [Meas Muth receives a telegram from Dim describing, amongst other matters, the military/security situation in Koh Kong, Koh Ruessei and Koh Seah islands]; **D1.3.14.2** Telegram 43 from Moeun to Brother Mut (Meas Muth), 13 Jul 1977, EN 00233944-47 [Meas Muth receives a telegram describing the enemy situation at O Chheu Teal and Koh Rong Sanloem island]; **D4.1.637** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978, EN 00293370 [report from Meas Muth to Son Sen about situation in Koh Tral]. *See also* **D54/51** Meas Voeun WRI, A17 [“The navy controlled the mainland from Veal Renh to Kampong Som. As for the units on the sea, that was from Koh Rong Island, Koh Thmei Island, Koh Pring Island, Koh Tang Island to Koh Poulo Wai Island and other islands unknown to me”]; **D54/104** Ek Ni WRI, A16 [“The area controlled by Division 164 was bordered with the Tonle Sap in the east, Stueng Hav in the north, the sea and a number of islands in the west, except Koh Mnoah Island which was located in Sector 11”]; **D114/209** Moeng Seng WRI, A17-18 [“My uncle [commander of an artillery regiment stationed in Toek Sap] reported to Meas Muth. I am not sure what position Meas Muth had in Kampong Saom. Q: How did you know that he had to report to Meas Muth? A18: Kampong Som was under Meas Muth’s command”]; **D114/116** Svay Saman WRI, A5-6 [“Q: While you were guarding the warehouse in Teuk Sab, did you ever see Division 164’s Commander coming to Teuk Sab? A5: Yes, I did. I saw him coming occasionally. Q: Who did you see visiting occasionally? A6: I saw Meas Muth, the Division 164 Commander”]; **D54/77** Uy Nhik WRI, A52 [“I saw Ta Mut coming by car to inspect the worksites at Stueng Hav”]; **D114/215** Meas Im WRI, A39 [“I met him [Meas Muth] during early 1977, as I noted, at Stueng Hav, to which he came once a week”]; **D54/92** Sam On Yem WRI, A49 [“Q: This morning you talked about Ta Mut. What do you know about Ta Mut? A49: I saw him once at Koh Rong Sanloem Island when he accompanied a Chinese delegation to visit the island”].

194 **D1.3.12.18** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977, EN 00233992-93 [describing patrol missions ordered around Koh Kong island]; **D1.3.34.39** Telegram 04 from Roeun to Brother Mut (Meas Muth), 5 Nov 1977, EN 00233656 [describing the patrolling of the islands around Koh Kong]; **D54/52** Meas Voeun WRI, A6-7 [“Meas Mut was in the Centre echelon, and he had ships and other means to protect Cambodian territory. As he was in the Centre’s army, he could conduct operations at various other locations throughout the country. Q: What do mean by ‘other means’? A7: His navy had warships, munitions, radar, rockets and anti-aircraft guns, diving equipment, cargo ships, chase ships, and so on”]; **D54/51** Meas Voeun WRI, A17-18 [“The role of Division 1 was to defend the territory along the border in the West Zone along both the maritime and land borders. If there were any conflicts on the sea with another country, Division 1 would contact the navy to intervene and deal with the conflicts because they had warships, and we did not. Division 1 only had small boats for patrol and transport [...] A18: Division 1 had its own motorboats to patrol along the borderlines. If there were any serious issues on the sea, Division 1 would contact the navy for intervention”]; **D54/17** Say Born WRI, A14 [“Q: You have identified the location of a brick kiln near Kang Keng Airport along the way to Ream. What do you know about that place? A14: It was a Division 164 labour site”]; **D114/58** Som Saom WRI, A14 [“I am not sure which level of authority managed the [Pou Thoeung] dam, but I think it was under Division 164 supervision. I say this because the area where the dam was located was under Division 164 control”]; **D54/23** Pak Sok WRI, A40 [“I know one place which was a detention office of Division 164. It was located in the fresh water area [Toek Sap]”];

D114/209 Moeng Seng WRI, A17-18 ["My uncle [commander of an artillery regiment stationed in Toek Sap] reported to Meas Muth. I am not sure what position Meas Muth had in Kampong Saom. Q: How did you know that he had to report to Meas Muth? A18: Kampong Som was under Meas Muth's command"]; **D114/116** Svay Saman WRI, A5-6 ["Q: While you were guarding the warehouse in Teuk Sab, did you ever see Division 164's Commander coming to Teuk Sab? A5: Yes, I did. I saw him coming occasionally. Q: Who did you see visiting occasionally? A6: I saw Meas Muth, the Division 164 Commander"]; **D54/77** Uy Nhik WRI, A52 ["I saw Ta Mut coming by car to inspect the worksites at Stueng Hav"]; **D114/215** Meas Im WRI, A39 ["I met him [Meas Muth] during early 1977, as I noted, at Stueng Hav, to which he came once a week"]; **D114/16** Sok Vanna WRI, A14 ["[Meas Muth] also had the authority to command cooperative chiefs and commune chiefs too"]; **D59/2.2.16a** Sim Ny DC-Cam Statement, EN 01332607 ["Q: Was Ta Muth the person who was responsible for interrogation and the decision to send in and out [of Wat In Nhean]? A: That's right. Ta Muth was the one who ordered to send out. [...] Q: Did you see Ta Muth coming in and out that place often? A: I did"].

D1.3.30.9 DK Report from RAK General Staff, 7 Apr 1977, EN 00183956 [stating that Division 164 was comprised of 8,568 personnel, including 169 workers. Division 310 is the second biggest division with 6,096 soldiers]; **D1.3.5.3** Division 164 Daily List of Forces by Meas Muth, 27 Oct 1976, EN 00233989 [describing the structure and size of Division 164. The Division's total number of forces was 8,611 as of 27 October 1976]. *See also* **D114/65** Chet Bunna WRI, A12 ["We used to watch the Chinese movie and saw Son Sen and the activities of the Khmer Rouge soldiers, which were 25 divisions/brigades in total, in the film. We also knew that the Navy Forces Division, which was under Meas Muth's command, was the biggest division among the 25 divisions of the Khmer Rouge"]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 ["In April 1975 after the fall of Phnom Penh he joined Division 164 and served in Regiment 62. This regiment had around 600 cadres plus support staff. The whole of Division 164 was in excess of 10,000"].

D22.2.180 Phnom Penh Post, *Interview with Meas Muth*, 2 Aug 2001, EN 00161880 ["Q: How many people were in your division? A: Probably over 10,000"]; **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249699, KH 00742002-03 ["At the end of 1975, the 3rd division was re-designated the 164th division [...] *At the completion of the reorganization, the 164th Division had approximately twelve thousand troops*" (emphasis added)].

See sections **IV. Division 164 (Former Division 3) Authority Structure**; **VIII.F Ream Area Worksites**; **VIII.E Stung Hav Worksites**; **VIII.C. Division 164 Security Centres**.

See paras 56, 216. *See also* **D54/31** Soem Ny WRI, A7 ["Q: During which period of time, were Meas Mut's house and the headquarters located near Phsar Leu Market? A7: Meas Mut's house and his office were located there from 1975 until the end of 1978"]; **D54/26** Pak Sok WRI, A3 ["Meas Mut's house was at his working office"]; **D114/181** Sem Kol WRI, A43 ["At Kampong Som, I saw him two or three times. In 1976, 1977, he drove around inspecting his subordinates; he drove a Jeep. He inspected his units. Other than that, he stayed at his base, his office"].

See para. 216.

D54/71 Mut Mao WRI, A18, 20, 28 ["Q: Can you describe the place where you stayed with Meas Mut after you left Sokha Guesthouse? A18: That place was called Inner Office of Division 164. If you travel from Phsar Leu Market to the Two-Lions Circle, when you arrive at the curve you can turn right at the major road-crossing and after about 500 metres, you will reach the location of the division's Inner Office. [...] Q: What was the function of that Inner Office of Division 164? A20: It was the house where Meas Mut stayed. [...] A28: There were different buildings in the compound of the Inner Office. At that site there were a dining hall, Meas Mut's house, living quarters for messengers and others, a telegraph office, and a broadcasting office, which was located near the Two-Lions Circle"].

D54/24 Pak Sok WRI, A20 ["Q: What do you mean, Ta Mut was the most senior commander of the division? Was he responsible for military training and logistics, for instance? A20: Meas Mut was in charge of everything—military, logistics, fisheries, ship repair, port activities. For example he ordered Ta Bau, commander of Regiment 140, to carry out combat operations. He was in charge of the port activities—the entry and exit of foreign ships. Another example: during the last period of the regime when the refugees were fleeing from Vietnam in 1979, Meas Mut ordered me to go to Ream and destroy the ammunition, including anti-ship mines. At the time the workers there were about to kill me, accusing me of being a spy—Vietnamese KGB. However, I told them that I acted on the orders of Ta Mut, and I so survived."]; **D54/10** Meu Ret WRI, A12 [Q: Do you know the roles and function of Meas Mut as commander of the division in 1975? A12: As division commander, he had the overall responsibility for the division. He travelled up and down to monitor

each military unit in the division. He gave political training sessions and was the battlefield commander, as well as being the military movement coordinator during troop movements”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576 [“Q: Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes”]; **D59/2.16a** Sim Ny DC-Cam Statement, EN 01332607 [“Q: Was Ta Muth the person who was responsible for interrogation and the decision to send in and out [of Wat In Nhean]? A: That’s right. Ta Muth was the one who ordered to send out. [...] Q: Did you see Ta Muth coming in and out that place often? A: I did”].

See **III.3. Meas Muth’s Contribution to Crimes – Partication in Persecution and Execution of Enemies; III.3. Meas Muth’s Contribution to Crimes – Partication in Enslavement at Worksites.**

D4.1.699 Telegram 11 from Dim to Brother Mut (Meas Muth), 24 Sep 1976, EN 00143240 [telegram describing the situation in Kampong Som]; **D1.3.34.12** Telegram 12 from Comrade Dim to Brother Mut (Meas Muth), 27 Sep 1976 EN 00897638 [describing gunfire between Koh Kong and Koh Moul Islands]; **D1.3.34.13** Telegram 16 from Dim to Brother Mut (Meas Muth), 6 Oct 1976 EN 00233657 [telegram describing patrolling in Koh She and Koh Kong islands]; **D1.3.34.14** Telegram 15 from Comrade Dim to Brother Mut (Meas Muth), 6 Oct 1976, EN 00233661 [telegram describing amongst other matters the military/security situation in Koh Kong, Koh Russei and Koh Seh islands]; **D1.3.34.15** Telegram 17 from Dim to Brother Mut (Meas Muth), 8 Oct 1976 EN 00233659 [telegram describing military/security situation and logistics]; **D1.3.14.2, D4.1.636** Telegram 43 from Moeun to Brother Mut (Meas Muth), 13 Jul 1977 EN 00233944 [telegram describing the enemy situation at Ochheuteal and Koh Rong Samloem island]; **D1.3.34.28** Telegram 141 from Sim to Brother (Division), 15 Sep 1977, EN 00233654 [Meas Muth and Son Sen were copied to a telegram report written by the political division of Division 164. The report described the capture of 2 Thai boats entering DK territorial waters. People in the boats jumped into the water to escape, and the rest were all killed]; **D1.3.34.39** Telegram 04 from Roeun to Brother Mut (Meas Muth), 5 Nov 1977, EN 00233656 [Meas Muth received a telegram from Reoun on the patrolling of the islands around Koh Kong, training and re-detaining vessels at sea, and rice production]. See also **D54/47** Em Sun WRI, A48 [“After I came to Koh Tang Island with 50 soldiers [...] We patrolled the island, and set up a military post in order to communicate with those on the mainland. We reported our situation by radio to Meas Mut’s division every day”]; **D54/48** Em Sun WRI, A21-22, 26, 32 [Q: When you were on Koh Tang Island, how did you know if Meas Mut was present or absent? A21: I knew that Meas Mut was present when I reported to the radio operators in order for them to pass this report to Meas Mut. Q: When you were on Koh Tang Island, did you often report to Meas Mut? A22: When I was on Koh Tang Island, I communicated with the shore [headquarters] regularly on the radio from the morning to night. [...] A26: I talked directly with Meas Mut once after the fierce battle with the American soldiers. After my radio was broken, I contacted Meas Mut directly via the radio on the Ship CPS when that ship arrived [at Koh Tang Island [...] A32: I went to meet MEAS Mut at his office and he asked me to explain about the situation on Koh Tang Island”]; **D54/49** Em Sun WRI, A48 [“When I joined the division, I reported directly to Meas Mut because there was no regiment between my Battalion 450 and Meas Mut. I reported to Meas Mut about the result of Meas Mut’s orders. During that time there was no official reporting system. Generally the report was done via two-way radio or messengers”]; **D54/10** Meu Ret WRI, A22 [“[the regiment and battalion commanders] were required to report to Meas Mut, the division commander”]; **D54/25** Pak Sok WRI, A19 [“Q: Why did Meas Mut, who was the political commissar, know all these events? A19: Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons”]; **D54/31** Soem Ny WRI, A5 [“Q: Whilst you were in Kampong Som at that time, where were the headquarters of Division 3 and the house of Meas Mut located? A5: At the time, Meas Mut was living at a place near Phsar Leu Market, and the headquarters of Division 3 was also there. Meas Mut’s house was 150 metres east of Phsar Leu Market. At the time the divisional headquarters and the divisional commander’s house were together. Commanders of each regiment came to join meetings there every month on the 10th, 20th, and 30th days of each month”].

D54/10 Meu Ret WRI, A12 [Q: Do you know the roles and function of Meas Mut as commander of the division in 1975? A12: As division commander, he had the overall responsibility for the division. He travelled up and down to monitor each military unit in the division. He gave political training sessions and was the battlefield commander, as well as being the military movement coordinator during troop movements”].

- 205 **D54/23** Pak Sok WRI, A34 [“Q: Who were responsible for political education in Division 164 from 1975 to 1979? A34: Meas Mut, who was then Political Commissar of the Division”]; **D114/132** Mao Ran WRI, A63 [“The training was conducted when we were gathered together. It was organised by Meas Muth. The instructors included Meas Muth”]; **D54/33** Ing Chhon WRI, A15 [“One day [...] I was called to training by Ta Mut in Kampong Som. The training was held at the former Kampong Som Cinema, and the lectures were given by Ta Mut”].
- 206 **D54/17** Say Born WRI, A6, 8 [“Q: What kinds of meetings were held in Koh Rong Cinema? A6: In 1975, the hall was used for political training and for political meetings of battalion chairmen/deputy chairmen, company chairmen/deputy chairmen, and lower-echelon chairmen - the so-called cadres. [...] Q: How did you know that there were such political study sessions? A8: Because I also attended the study sessions. I attended once every year”]; **D114/132** Mao Ran WRI, A63-65 [“Q: Before the break you talked about training study course. When was it held? Who organised it? A63: The training was conducted when we were gathered together. It was organised by Meas Muth. The instructors included Meas Muth and one of his deputies whose name I have forgotten. Q: Where was the training conducted? A64: We studied at the Phsar Leu Cinema. Q: Where was the Phsar Leu Cinema? A65: In Kampong Som City”]; **D54/33** Ing Chhon WRI, A15 [“One day [...] I was called to training by Ta Mut in Kampong Som. The training was held at the former Kampong Som Cinema, and the lectures were given by Ta Mut”].
- 207 **D54/17** Say Born WRI, A8-12 [“Q: How did you know that there were such political study sessions? A8: Because I also attended the study sessions. I attended once every year. Q: Did you ever see Meas Mut in the study sessions? A9: Yes, I always saw him at the each closing of the study sessions. Q: What were Meas Mut’s duties in the closing sessions? A10: The political commander, meaning Meas Mut, had to teach political affairs, ideology, and organization. The military commander, meaning Dim, had to teach military combat techniques; the logistics commander, meaning Chhan, was responsible for weapons and equipment, food supply, and healthcare. During the closing sessions, Meas Mut acted as the presiding secretary summarizing the results of the study session, examining life views, and providing additional guidance at the end of the session, Q: Did Meas Mut talk about traitors in each session? A11: Yes. He said that we had to be on the lookout for enemy activities within our ranks. Q: What did that mean? A12: Meaning this was Meas Mut’s guidance to the students: to watch for and report any such activities to upper echelon”]; **D114/132** Mao Ran WRI, A63, 66-69 [“Q: Before the break you talked about training study course. When was it held? Who organised it? A63: The training was conducted when we were gathered together. It was organised by Meas Muth. The instructors included Meas Muth and one of his deputies whose name I have forgotten. [...] Q: What did they teach you? A66: They instructed us in military procedures and discipline. Q: During these training sessions, did they say anything related to the enemy? A67: They talked about foreigners, for example, the Vietnamese. Q: Who talked about foreigners? A68: Whenever Meas Muth rose to speak, he spoke about that, and whenever anyone else rose to speak, they also spoke about that. Q: Can you recall Meas Muth’s words when he talked about Vietnam or other foreigners? A69: He talked about the Vietnamese army wanting to seize Cambodian territory. He told our troops to defend in particular locations bordering Vietnam”].
- 208 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00183986-90 [Meas Muth was present at a meeting during which Son Sen ordered the RAK commanders to maintain “a firm grip on our units of organization, ensuring that enemy is unable to bore from within, and doing whatever needs to be done to make our army clean”. During this meeting, Meas Muth expressed “his total agreement and unity with the Party” and stated that they should “do whatever needs to be done not to allow the [enemy] situation to get out of hand [...] and not to let them strengthen or expand themselves in the least”]. *See also* section **III.3. Meas Muth’s Contribution to Crimes - Participation in Persecution and Executions of Enemies – RAK** [describing Meas Muth’s agreement to participate in a common criminal plan to purge the RAK].
- 209 **D54/7** Dol Song WRI, A15-16 [“Q: Who was the Commander of Division 3/164? A15: It was Meas Mut. [...] Q: What decisions was the Division Commander authorized to make? A16: As far as I know, as a commander of a marine division, Meas Mut was responsible for dealing with issues related to water borders. He was also responsible for screening the biographies of the marines and deciding whether to arrest or anyone who had committed mistakes”]; **D54/8** Dol Song WRI, A6-8 [“Q: Who arranged these meetings about the arrests? A6: The information about the arrests was sent from the divisions to the platoons. Q: Did you know if Meas Mut was in charge of announcing the information? A7: Yes, I did. He was the division commander; therefore, he alone would be the person to pass the announcement to the lower levels. Q: How did you know about this? A8: He was the only person who could make the announcement because he was the

division commander. However, the announcements of arrests were made only for the arrests of chairmen who were traitors, not for general arrests”].

210 **D54/16/1R** Audio Meas Muth Interview with David Kattenburg, Apr 2009, 20:07-23:03 [“The structure of command like this, there were two leaders, two commanders in one division. One commander was in charge of politics, the other in charge of military, attacking and fighting, like that. So, the commander who was in charge of the army just cared about fighting, the strategy, enemies, shooting, claiming. But, politics, they were just in charge of politics, educate soldier, strengthening the moral. And there was another man who was in charge of the logistics, so three. But the third guy is called a member, not a commander. So you can say that in one division there were three commander. Q: One politics, one logistics, and one military? A: Yes. Q: So, which one was Mut? A: I was in charge of politics. You know, before you decide to any job, before any work, unless the three agree all together so they can do the work could not...set up agreement between the three”].

211 **D1.3.22.1** CPK Statute, Jan 1976, art. 17, EN 00184035.

212 **D1.3.22.1** CPK Statute, Jan 1976, arts 27-28, EN 00184047-48 [“The Revolutionary Army of Kampuchea: All three categories of the Revolutionary Army of Kampuchea, the regular [army], sector [army], and the militias must be in very part under the absolute leadership monopoly of the Communist Party of Kampuchea. Article 28: The Revolutionary Army of Kampuchea is organized according to democratic centralism. The Party Central Committee designates the implementation of democratic centralism according the specific situation. In the Revolutionary Army of Kampuchea, various Party leadership organizations are organized as follows:- Party Branches in company-level units.- Battalion Party Committees, Regimental Party Committees – Divisional Party Committees Below the company-level units, Party Sub-Branchees must be organized inside the battalions”].

213 **D1.3.12.2** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 6 Feb (unknown year), EN 00233991 [describing the situation in areas west of Koh Pring, Koh Tral, and Koh She and noting that DK forces attacked/fired at Thai fishing vessels]; **D1.3.30.2** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Feb 1976, EN 00231824 [describing the military situation in certain Cambodian islands and referring to heavy fighting with the enemy]; **D1.3.12.3** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976, EN 00233903 [describing the enemy situation in Toek Sap]; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234012-16 [describing the enemy situation (Thai and Vietnamese) and the presence of ships in Cambodian waters. The meeting was attended by Pol Pot, Son Sen, Vorn Vet, Meas Muth, Comrade Dim and Comrade Nget]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647-48 [describing an armed clash with Thai fisherman in Koh Kong and the capture of one Thai fishing boat]; **D1.3.34.14** Telegram 15 from Comrade Dim to Brother Mut (Meas Muth), 6 Oct 1976, EN 00233661 [telegram describing enemy’s ships entering the DK maritime territory. Copied to Nuon Chea, Son Sen, Office and Documentation]; **D1.3.12.18** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977, EN 00233992-93 [telegram describing the capture of a Thai boat and the situation along the border with Vietnam. Son Sen added a handwritten note at the bottom of the report and indicated that it had been forwarded to Angkar]; **D1.3.12.20** DK Report from Mut (Meas Muth), annotated by Khieu (Son Sen), 12 Aug 1977, EN 00233972 [describing the arrest of five boat people near Koh Kong, Son Sen annotated the message, addressing Angkar, with a summary of the content]; **D1.3.34.23** Telegram 28 from Soeung, annotated by Khieu (Son Sen), 12 Aug 1977, EN 00233655 [Son Sen noted that “[b]ased on the oral report of Comrade Mut yesterday we caught a boat (150hp) in Koh Kong Krao on the southern part of the island. The place where Brother and I docked the ship. Arrested 4 Thais and 1 Khmer”]; **D1.3.34.28** Telegram 141 from Sim to Brother (Division), 15 Sep 1977, EN 00233654 [describing the capture of two Thai fishing boats. Some people on the boats jumped into the water to escape, and others were killed. Copied to Brother 89 (Son Sen), Meas Muth, Office and Documentation]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), EN 00233649 [describing the attack toward one Vietnamese boat which sank as a consequence; the capture of one Thai boat with 21 people; and the capture of two Vietnamese boats and the arrest of 76 Vietnamese].

214 OCP calculation based on reference points given by witnesses: *see* fn. 215 below.

215 *See Annex C.2*; **D54/51** Meas Voeun WRI, A17 [“The navy controlled the mainland from Veal Renh to Kampong Som. As for the units on the sea, that was from Koh Rong Island, Koh Thmei Island, Koh Pring Island, Koh Tang Island to Koh Poulo Wai Island and other islands unknown to me”]; **D54/104** Ek Ni WRI, A16 [“The area controlled by Division 164 was bordered with the Tonle Sap in the east, Stueng Hav in the north, the sea and a number of islands in the west, except Koh Mnoah Island which was located in Sector

11”]; **D54/77** Uy Nhik WRI, A52 [“I saw Ta Mut coming by car to inspect the worksites at Stueng Hav”]; **D114/215** Meas Im WRI, A39 [“I met him [Meas Muth] during early 1977, as I noted, at Stueng Hav, to which he came once a week”]. *See also* Meas Muth reporting on areas under his control: **D1.3.12.3** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976, EN 00233903 [report from Meas Mut to Brother 89 (Son Sen) describing the situation in the southwest of Koh Seh Island; in the west and north of Veal Rinh]; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234012 [Meas Muth presents a deployment of armed forces at Kampong Som City, Ream, Kang Keng, and on several islands, such as Koh Wai, Koh Taing, Koh Pring, Koh Rong, and Koh Seh]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647 [Meas Muth reports on the situation in Koh Tang, Koh Yum, Koh Sdech, and Kampong Saom]; **D1.3.14.2** Telegram 43 from Moeun to Brother Mut (Meas Muth), 13 July 1977, EN 00233944-47 [Meas Muth receives a telegram describing the enemy situation at O Chheu Teal].

OCP calculation based on reference points given by witnesses: *see* fn. 215 above.

D114/159 Kaing Guek Eav alias Duch WRI, A10 [“Brother Muth was the secretary of Division 164, which was the sea division, and a special sector secretary in Kampong Som. There were some villages around Kampong Som Port and there was a separate port committee. Both the villages and the port were under the control of Brother Muth”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678539 [“[Around 1975, Meas] Muth retained command of the 3rd Southwest Division and also became CPK secretary of Kompong Som city and commander of the DK navy”]; **D4.1.1030** Chap Lonh US POW/MIA Statement, EN 00526844 [“Mut, Secretary of the Kampung Saom Party Committee, Political Commissar of the DK Navy”]; **D1.3.30.29** Ishiyama Committee, *Interviews with Kampuchean Refugees at Thai-Cambodia Border*, EN 00170723 [No. 18, Source: A man from tarubon 13 (Takeo) in Southwest, presumably Party person: “The original Vice-secretary from 1970 to 1973 was Ta Muth. He then became Secretary of the 3rd Division in the Southwest Region. His area of operation was RN 4. He was the Secretary of the Division until the Vietnamese came. In 1975 he also took up the position of Secretary of Kompong Som City. He was responsible for Kompong Som-City as a whole. He was also in charge of the Navy”]. *See also* **D22.1.10** FBIS, *Chinese Delegation Visits Kompong Som Area*, 14 Dec 1977, EN 00168349 [“Comrade Chen Yung-kuei and the other Chinese comrades were warmly received and welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee”]; **D54/23** Pak Sok WRI, A11 [“I heard that he [Meas Muth] was the Party Secretary of Kampong Som”]; **D54/47** Em Sun WRI, A28-30, 33 [“Q: According to the first page of the document [D22.1.10, EN 00168349-50], Meas Mut was the Secretary of the Communist Party of Kampuchea in Kampong Som, and the second page writes that Meas Mut was the Secretary of Kampong Som Party of the Communist Party of Kampuchea. Can you explain this difference? A28: I believe that the correct title is the Secretary of the Communist Party of Kampuchea in Kampong Som. Q: As far as you know, as the Secretary of the Communist Party of Kampuchea in Kampong Som, what was Meas Mut in charge of? A29: I do not know about his responsibilities when he was the Secretary of the party in Kampong Som. Q: Who was in charge of transferring your unit from Division 3 to be under Krin’s supervision? A30: I do not know for sure; however, except for Krin and Meas Mut, no one else had the power to do so. [...] A33: [...] Meas Mut was in charge of the military; whereas Krin was in charge of civilians and workers at the port. Meas Mut was the representative of the Communist Part of Kampuchea in Kampong Som; whereas Krin was the Deputy Secretary”]; **D114/91** Seng Oi WRI, A361 [“I heard that he [Meas Muth] was in charge of Kampong Som”].

D54/100 Lay Boonhak WRI, A30 [“I came to know that Kampong Som sector was an autonomous sector because I joined a meeting in the regiment and the internal meeting of Party members. Workers at the rubber plantation, workers at the port, and soldiers in Kampong Som all knew that Kampong Som sector was an autonomous sector because this information was widely disseminated”]; **D114/65** Chet Bunna WRI, A9 [“The territory under Meas Muth’s control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth’s control”]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115987 [“Q: Who was in charge of administration at Kampong Som? A: [...] The autonomous sector had its own administration”].

D1.3.22.1 CPK Statute, Jan 1976, art. 8 [“Any Sector or unit which has special characteristics, be they political, military, economic, or culture-social affairs related, may be organized separately, with the Central Committee being responsible, directly or indirectly, along a specific organizational line”], art. 15 [“Sector - City Committees must hold ordinary Sector - City Representational Conferences once every six months in order to: 1. Clearly and profoundly examine and deliberate on Sector - City activities by drawing experience,

seeking out good and bad qualities. 2. Designate new work according to the Party line. Must designate clear plans for work among the popular masses and for internal Party work, within its Sector – City framework. 3. Select and appoint the new leadership organization, the Sector – City Committee. (Based on the Ten Criteria of the Party, and with the prior examination, deliberation, and agreement of the Zone Committee)”, art. 16 [“Tasks of the Sector - City Committee: The tasks of the Sector - City Committee are: 1. Go down close to the Districts and Branches and the specific bases of the Branches in the unions and cooperatives and in the Revolutionary Army, in order to lead the implementation of tasks, both among the popular masses and internally, to be always hot and active in plans according to the political lines of national defense and the construction of Democratic Kampuchea and according to the Party's direction of socialist revolution and building socialism. 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 by constantly arming them politically, ideologically, and organizationally in the tasks of national defense and the construction of Democratic Kampuchea according to the Party direction of socialist revolution and building socialism. [...] 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, by arming them politically, ideologically and organizationally in the tasks of national defense and the construction of Democratic Kampuchea according to the Party direction of socialist revolution and building socialism. 4. Manage the property of the Sector - City organizations, and administer discipline in the Sector - City framework, maintaining a system of reporting to upper echelon on the situation and the work of the Sector – City”], art. 17 [“The Sector - City Committee must hold ordinary meetings once every monthly to examine, monitor, and deliberate on old work and to bring up new work”].

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D22.1.10 FBIS, *Chinese Delegation Visits Kompong Som Area*, 13 Dec 1977, EN 00168349 [“Comrade Chen Yung-kuei and the other Chinese comrades were warmly received and welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee; Comrade (Krin), deputy secretary of the Kompong Som town KCP Committee; Comrade (Lonh), member of the Standing Committee of the Kompong Som town KCP Committee; cadres of the regional, sector and district-levels; and cadres from various departments and offices”]; **D114/266.1.2** List attached to Russian documents, Oct 1977, EN 01519466 [listing Mut, Krin, and Lon as Secretary, Deputy Secretary, and member, respectively, of the Communist Party of Kampuchea in Kampong Som]; **D54/31** Soem Ny WRI, A10-12 [“Meas Mut, Chea Krin, and Ta Launh were on the central committees in Kampong Som. Meas Mut was in charge of the military; Chea Krin was in charge of the port and the kerosene refinery, while Launh was responsible for fishery. Q: Please describe about the committee hierarchy of Meas Mut, Chea Krin, and Launh? A11: Meas Mut was the most senior chief; next after him were Chea Krin and Launh. Q: How was the responsibility delegated? A12: They were assigned to take different responsibility under Meas Mut’s control. Meas Mut bore joint responsibility including the sea area”]; **D54/47** Em Sun WRI, A29-30, 33 [“Q: As far as you know, as the Secretary of the Communist Party of Kampuchea in Kampong Som, what was Meas Mut in charge of? A29: I do not know about his responsibilities when he was the Secretary of the party in Kampong Som. Q: Who was in charge of transferring your unit from Division 3 to be under Krin’s supervision? A30: I do not know for sure; however, except for Krin and Meas Mut, no one else had the power to do so. [...] A33: [...] Meas Mut was in charge of the military; whereas Krin was in charge of civilians and workers at the port. Meas Mut was the representative of the Communist Party of Kampuchea in Kampong Som; whereas Krin was the Deputy Secretary”]; **D54/30.1** Soem Ni DC-Cam Statement, EN 01070550 [“Ta Launh was the fishery chairman. After Dim was arrested, the Central Committee consisted of three persons who governed the Kampong Saom area were Meas Mut, Ta Launh, and Chea Krin”]; **D59/2/2.16a** Sim Ny DC-Cam Statement, EN 01332598 [“For the leading committee after the arrest of Dim, the leading committee in the entire Kampong Som consisted of three people. They were Ta Muth, Ta Launh and Chea Krin”], EN 01332612 [“It was because [Meas Muth] absolutely controlled everything. Within the committee, there were Meas Muth, Chea Krin and Ta Launh. There were three people. These three people were the committee that supervised the whole Kampong Som. But, they had separate sections to supervise. Chea Krin supervised the enterprise section. Meas Muth was responsible for the army. And Ta Launh was responsible for the fishing unit to supply to all state units. There were different sections. However, if there was any problem, the committee had to discuss with each other”].

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D54/31 Soem Ny WRI, A10 [“Meas Mut, Chea Krin, and Ta Launh were on the central committees in Kampong Som. Meas Mut was in charge of the military; Chea Krin was in charge of the port and the

kerosene refinery, while Launh was responsible for fishery”]; **D54/47** Em Sun WRI, A33 [“Meas Mut was in charge of the military; whereas Krin was in charge of civilians and workers at the port”]; **D54/30.1** Soem Ni DC-Cam Statement, EN 01070550 [“Ta Launh was the fishery chairman”]; **D59/2/2.16a** Sim Ny DC-Cam Statement, EN 01332598 [“For the leading committee after the arrest of Dim, the leading committee in the entire Kampong Som consisted of three people. They were Ta Muth, Ta Launh and Chea Krin”], EN 01332612 [“It was because he absolutely controlled everything. Within the committee, here were Meas Muth, Chea Krin and Ta Launh. There were three people. These three people were the committee that supervised the whole Kampong Som. But, they had separate sections to supervise. Chea Krin supervised the enterprise section. Meas Muth was responsible for the army. And Ta Launh was responsible for the fishing unit to supply to all state units. There were different sections. However, if there was any problem, the committee had to discuss with each other”].

222 **D234/2.1.27** *Revolutionary Flag*, Sep-Oct 1972, EN 00720212 [“The primary meaning of democratic centralism is collective leadership and individual responsibility”], 00720219 [“We must analyse all issues collectively to see the whole view including the easy and difficult”], 00720228 [“plans must be proposed by the collective, in accordance with democratic centralism”]; **D4.1.887** *Revolutionary Flag*, Nov 1976, EN 00455307 [“First: Decide alone based on principles that the collective has already decided. Second: Decide by discussions inside the organizational framework of the committee; or, if it is bigger than that, decide in plenary organization conferences, in plenary committees, or propose opinions to upper echelon. This is a style of collective leadership and separate responsibilities”]; **D234/2.1.19** CPK Circular, *What is Angkar’s Ideology and the Party’s Discipline?*, 17 Apr 1975, EN 00742432 [“Centralization on the opinion: The assembly makes the decision. All must absolutely respect and execute even though we have a different idea or oppose to the majority opinion. This is the decision of the collectivity which is based on the condition that the minority voices respect the majority ones”]; **D98/3.1.160** Nuon Chea, T. 15 Dec 2011, 10.57.18-11.01.42 [“all of the various decisions of the Party must be made collectively”, that means all decisions of the Party must be made collectively, and not individually [...] all the appointments and assignments shall adhere to this principle”], 10.58.59 [“Mr. President, the democratic centralism was part of the collective leadership, and the collective leadership was part -- also part of the democratic centralism”].

223 **D98/3.1.160** Nuon Chea, T. 15 Dec 2011, 11.02.32-11.04.47 [“‘collective decisions’ means everybody would participate in a meeting to express the ideas in a centralized democracy. This applied to all meetings and not confined only to Central or Standing Committee meetings”]. See also **D59/2/2.16a** Sim Ny DC-Cam Statement, EN 01332598 [“For the leading committee after the arrest of Dim, the leading committee in the entire Kampong Som consisted of three people. They were Ta Muth, Ta Launh and Chea Krin”], EN 01332612 [“It was because he absolutely controlled everything. Within the committee, here were Meas Muth, Chea Krin and Ta Launh. There were three people. These three people were the committee that supervised the whole Kampong Som. But, they had separate sections to supervise. Chea Krin supervised the enterprise section. Meas Muth was responsible for the army. And Ta Launh was responsible for the fishing unit to supply to all state units. There were different sections. However, if there was any problem, the committee had to discuss with each other”].

224 **D22.1.10** FBIS, *Chinese Delegation Visits Kompong Som Area*, 13 Dec 1977, EN 00168349 [“On the morning of 12 December 1977 Comrade Chen Yung-kuei, member of the Political Bureau of the CCP Central Committee and vice premier of the PRC State Council, and the other Chinese comrades visited Kompong Som town. They were accompanied by Comrade Pol Pot, secretary of the KCP Central Committee and prime minister, and Comrades Ieng Sary and Thiounn Thioeunn. There, Comrade Chen Yung-kuei and the other Chinese comrades were warmly received and welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee; Comrade (Krin), deputy secretary of the Kompong Som town KCP Committee; Comrade (Lonh), member of the Standing Committee of the Kompong Som town KCP Committee”].

225 **D22.1.10** FBIS, *Chinese Delegation Visits Kompong Som Area*, 13 Dec 1977, EN 00168349 [“On the morning of 12 December 1977 Comrade Chen Yung-kuei, member of the Political Bureau of the CCP Central Committee and vice premier of the PRC State Council, and the other Chinese comrades visited Kompong Som town. They were accompanied by Comrade Pol Pot, secretary of the KCP Central Committee and prime minister, and Comrades Ieng Sary and Thiounn Thioeunn. There, Comrade Chen Yung-kuei and the other Chinese comrades were warmly received and welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee; Comrade (Krin), deputy secretary of the Kompong Som town KCP Committee; Comrade (Lonh),

member of the Standing Committee of the Kompong Som town KCP Committee; cadres of the regional, sector and district-levels; and cadres from various departments and offices. [...] On the same afternoon Comrade Chen Yung-kuei and the other Chinese comrades -- accompanied by our comrade KCP Central Committee secretary and Comrades Ieng Sary, Thiounn Thioeunn, (Mout), (Krin) and (Lonh) -- were taken by ship to various islands in our Cambodian territorial waters. Our Chinese comrades also visited a shipyard in Kompong Som. [...] On the evening of 12 December the Kompong Som town KCP Committee and the Kompong Som town Serve-the-People Committee hosted a solemn banquet honoring Comrade Chen Yung-kuei and the other Chinese comrades. The banquet proceeded in a warm and cordial atmosphere. During the banquet, Comrades (Mout) and Chen Yung-kuei toasted the great revolutionary friendship and great militant solidarity between our two parties, peoples and countries”].

226 **D114/159** Kaing Guek Eav alias Duch WRI, A10 [“Brother Muth was the secretary of Division 164, which was the sea division, and a special sector secretary in Kampong Som”].

227 **D1.3.33.7** Kaing Guek Eav alias Duch Military Court Statement, EN 00184830 [“Meas Mut was the Commander of Naval forces stationed at Kampong Saom City and Chairman of the Kampong Saom City Committee”].

228 **D114/159** Kaing Guek Eav alias Duch WRI, A10 [“Brother Muth was the secretary of Division 164, which was the sea division, and a special sector secretary in Kampong Som. There were some villages around Kampong Som Port and there was a separate port committee. Both the villages and the port were under the control of Brother Muth”].

229 **D54/23** Pak Sok WRI, A11, 15 [“Q: Do you know if Meas Mut was a member of the Assisting Committee of the Democratic Kampuchea Army? A11: I am not sure about this. I heard that he was the Party Secretary of Kampong Som. [...] A15: I am not sure about his function and role in the Party, but I know that he was in overall charge of Kampong Som as a whole in terms of the military, the workers, and the port”].

230 **D54/47** Em Sun WRI, A34, 37 [“Krin left Kampong Som Port to attend a study session in Phnom Penh for one week, and returned to Kampong Som on 15 February 1978. When he came back, he convened a meeting and told all the workers that he had been appointed as an ambassador to Hong Kong. Later, Krin left, and the person who replaced him was not from the port, but from Division 164 [...] Q: Who was the person from Division 164 who replaced Krin? A37: During the meeting on 15 February 1978, Krin introduced Pheap and Suong, both of whom were from Division 164. Pheap became the acting chief of the port, and Suong became his deputy. Later, perhaps in June or July 1978, Saroeun, from Division 164, was appointed the chief of the port. Pheap remained the deputy, but Suong instead was demoted to become a member. Saroeun did not stay at the port permanently. When he was absent, Pheap and Suong were in charge of the unit on his behalf. They did not select people from the port to hold important or high-ranking positions; they only selected people from Division 164”]; **D114/195** Neak Khoeun WRI, A17, 19 [“Q: Do you know who replaced Krin in 1978? A17: I was there. I know what happened before we fled. Before the Vietnamese arrived, I fled from the port. In late 1978, it was more likely Ta Saroeun, who was slightly dark-complexioned. He had not yet been there one year when the regime fell, probably between five and six months. Ta Saroeun replaced Ta Krin [...] Q: Was Ta Saroeun from the military ranks? A19: I heard that he was from the military”]; **D54/73** Mut Mao WRI, A6, 9 [“Q: Who was the deputy of Meas Mut? A6: I do not know who the commanders and deputy were. But in his committee, there were three people: Ta Mut, Ta Saroeun and Ta Nhan [...] A9: Ta Saroeun was sent to Kampong Som Port”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 [“The first leaders [of Regiment 140] included Ta Saroeun. Saroeun was the chairman, and Sam, from the side of Ta Doem, was the commander and deputy chairman. After that it was Ta Seng, and Ta Sam was arrested. He was arrested under Ta Doem's time. Ta Saroeun was transferred to take charge of the port”]; **D54/81** Hing Uch WRI, A14 [“The commander of Division 3 was Uncle Mut [...] Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut. He was a former commander of Regiment 63. I did not know where he went after that. Later Saroeun came in to replace Yan. Saroeun was from Regiment 140 and probably replaced Ta Yan”].

231 **D114/65** Chet Bunna WRI, A9-10 [“Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces. The territory under Meas Muth's control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth's control. He had the power to arrest and kill soldiers and civilians in the areas under his control. For example, if he noticed that any cattle or cows were skinny because they had not been taken care well, he would order the arrest of the persons in charge of

taking care of those cows. [...] A10: [...] Under his control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative”]; **D114/16** Sok Vanna WRI, A14-15 [“He also had the authority to command cooperative chiefs and commune chiefs too [...] no ordinary people lived in Kampong Som or on the islands: there were only soldiers. Ordinary people lived in villages such as Thma Thom, Pou Thoeung, Dei Edth Villages, and so on. Q: Who told you that Meas Mut had the authority to give orders to the cooperative chairpersons and the commune chiefs? A15: I heard that he had the authority to command ordinary people and I knew for sure that he had command authority over military units”]; **D114/25** Ou Dav WRI, A7 [“Meas Mut was the commander of the entirety of both the Kampong Som region and the navy. I knew about this through my battalion commander, Bun Theng. I also knew this through soldiers in the same naval unit as me”]; **D114/96** Cheng Laung WRI, A11 [“The people [in Babos Village] said that Meas Muth controlled all of us. This means that Meas Muth was in Kampong Som City and he also took control of this sector”]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Mut had control of the whole Kampong Som area”]; **D59/2/3.17a** Yem Sam On DC-Cam Statement, EN 01063510 [“In the area he [Meas Muth] was in charge of there was also healthcare unit consisting of military physicians. He might have been in charge of everything, since there were no other units present. All of them, including a transportation unit, the healthcare unit, and the soldiers were under the command of the division [...] Q: So it means that Kampong Som was under Meas Mut’s command? A: Yes. Q: Including the Navy, the healthcare unit, and others? A: Yes. It included a transportation unit and a women’s unit”]; **D54/60.2** Moeng (Meung) Vet DC-Cam Statement, EN 00992990 [“Ta Mut was in charge of Kampong Som. He could make decision on the army’s affairs on behalf of Ta Khieu. He was privileged to do so. Q: What direction was Ta Mut in charge of? A: He was in charge of Kampong Som”].

232 **D114/65** Chet Bunna WRI, A9-10 [“The territory under Meas Muth’s control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth’s control. He had the power to arrest and kill soldiers and civilians in the areas under his control. For example, if he noticed that any cattle or cows were skinny because they had not been taken care well, he would order the arrest of the persons in charge of taking care of those cows. [...] A10: [...] Under his control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative”]; **D54/26** Pak Sok WRI, A30 [“that area [Smach Daeng Village, Koki Village, and Chamnaot Ream] starting from Veal Renh was under the control of Meas Mut”]; **D114/16** Sok Vanna WRI, A14-15 [“He [Meas Muth] also had the authority to command cooperative chiefs and commune chiefs too. In fact, no ordinary people lived in Kampong Som or on the islands: there were only soldiers. Ordinary people lived in villages such as Thma Thom, Pou Thoeung, Dei Edth Villages, and so on. Q: Who told you that Meas Mut had the authority to give orders to the cooperative chairpersons and the commune chiefs? A15: I heard that he had the authority to command ordinary people”]; **D114/96** Cheng Laung WRI, A11 [“The people [in Babos Village] said that Meas Muth controlled all of us. This means that Meas Muth was in Kampong Som City and he also took control of this sector”]; **D54/104** Ek Ni WRI, A16 [“Meas Muth had the authority to make arrests and punish civilians, soldiers and soldiers’ family members who stayed in the area controlled by Division 164. The area controlled by Division 164 was bordered with the Tonle Sap in the east, Stueng Hav in the north, the sea and a number of islands in the west”].

233 **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195340-41 [Meas Muth provides a report on enemy situation, food production, health, food supply, and situation of the Party in the area under his control]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647 [telegram describing, amongst other matters, the rain in Kampong Som in August 1976 and informing that “[the people] have to drench the rich fields [by hand]”]; **D4.1.699** Telegram 11 from Comrade Dim to Brother Mut (Meas Muth), 24 Sep 1976 [telegram describing agricultural issues in the area of Kang Keng. Copied to Nuon Chea, Son Sen, Office (870) and Documentation].

234 **D54/32** Soem Ny WRI, A12 [“Q: Why was Meas Mut the deciding signatory on the food rations for those Chinese guests? A12: The food rations were decided by the Party’s Central Committee, whilst Meas Mut in Kampong Som was the implementer of that directive. I knew this because I was in the Kampuchea Youth League, and these food rations were also announced during the assembly of the Kampuchea Youth League”].

235 **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195341 [“Comrade Muth [...] By 20 August, all the transplanting was completed both light and heavy rice. By 30 August 30, hectares of light rice was harvested with a yield of 50 bushels per hectare. Almost 300 hectares of middle rice [ordinary rice] were

grown, and by approximately 10 October it will be sent out. 1,600 hectares of heavy rice has been transplanted by both the army and the people the total force of both troops and people was 17,000. The rice harvest was exactly two tons over an area of 2,000 hectares short by 61,000 bushels”].

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Meas Muth has himself confirmed that he maintained control over Division 164 after he left Kampong Som. However, inconsistent with all other evidence on the Case File, he stated that this occurred in February 1978: **D54/16/1R** Audio Recording of Interview with Meas Muth by David Kattenburg, Apr 2009, 34:37-35:28 [“I was not at Kampong Som. In February 1978 I had left Kampong Som already. Q: Where did he go? A: I was assigned to work in Kratie province near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission in Kratie”]. See also **D54/100** Lay Boonhak WRI, A93, 95-96, 100 [“At that time [late 1978], a new cadre came to replace [Meas Muth]. Tim Seng came to replace Meas Muth and he was a former manager of the battleship unit. When Tim Seng came to replace Meas Muth, he controlled all military units in Kampong Som [...] Q: Did you know who ordered Tim Seng to replace Meas Muth? A95: As I understood, that was an order from the upper echelon. [...] A96: Meas Muth was moved to the General Staff, so he ordered all of work from the upper echelon through Tim Seng; then Tim Seng controlled the work and passed on those orders [...] Q: Just now, you said that Meas Muth was on the General Staff. How do you know that? A100: After the Vietnamese soldiers attacked in strength, I saw Ta Meas Muth come back about 10 days before the Vietnamese soldiers dropped bombs on Kampong Som in late 1978. I concluded he was probably going to the General Staff Headquarters”]; **D114/186** Sath Chak WRI, A126-127, 129 [“I know that in 1978 Meas Muth went to Phnom Penh. I do not know where else he went. Q: How did you know that Meas Muth went to Phnom Penh? A127: I knew about this because commanders at all levels disseminated the information about this to us. [...] A129: [...] Usually, commanders of all levels attended the study sessions at the division once a month. When they came back, they said that Meas Muth had moved to Phnom Penh. They also said that Meas Muth had become the Deputy Chief of the Army in Phnom Penh”]; **D54/87** Prum Sarat WRI, A171-72 [“Q: You stated at the beginning that Meas Mut went to Memot District at the end of 1978 on orders from Son Sen. Did Meas Mut still have the authority to govern the province of Kampong Som when he went to Memot District? A171: With regard to his work, he still had influence and authority -- he was not yet separated from Kampong Som. Q: How did you know this? A172: I knew that via communication radio”]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115988 [“Q: Did Ta Muth control Kampong Som until 1979? A: Yes, he did. He was removed at the end of 1978. Later on he became the Deputy Chief of the General Staff. In 1979, he returned to his original unit. Q: He was in Phnom Penh when he became the Deputy Chief of the General Staff. Did he still have power to give orders? A: No, he didn’t. Another Deputy Commander of the Division took over from him. Q: Who was that person? A: He was H.E. Tim Seng. Q: Was his name Tim Seng? A: Yes, it was. Q: From whom did he receive orders? A: He received military assignments from Ta Muth. Q: But as for other work, did he still report directly to Ta Muth? A: Yes, he did. The person who received orders directly from the higher levels would have to make the reports”]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974098 [“Q: Who else was in charge of the regiment [140]? A: Tim Seng [...] Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh”], EN 00974119 [“So, when was Ta Mut transferred to Phnom Penh? A: Probably in 1977. Q: So, was he in Phnom Penh for a long time too? A: Yes, he was. Q: For how long was he there before the liberation? A: He had been there for more than a year. After he escaped from Phnom Penh in 1979, he ordered the withdrawal of troops from Kampong Som. Q: So, was he still in command even though he was in Phnom Penh? A: He was still influential. Q: So, was he still in charge of Division 164 or what? A: Yes, he was in charge of the navy”].

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D54/92 Yem Sam On WRI, A65-73 [“Q: Why did you say that Meas Mut was an influential person in the division? A65: When they heard his name or the name of his division, they were afraid. Q: You said, ‘Meas Mut was at a senior level, and they were afraid of him.’ What does ‘they’ refer to? A68: Both the other soldiers and I were afraid of Meas Mut. I never heard about any incidents related to Meas Mut. Q: Can you explain why you and other soldiers were afraid of Meas Mut? A69: Meas Mut was a man of his words. He was meticulous. Therefore, everyone was afraid of him. The term ‘afraid’ does not mean we were afraid he would mistreat us or kill us; it just means we feared of him due to his military position. [...] A72: At that time, I did not dare talk with him or approach him because he used to be my commander [...] Q: In the Phnom Penh Post article, you said, ‘I believe that Meas Mut bears a large part of the responsibility for the crimes committed during the Khmer Rouge regime.’ Why did you say that? A73: At that time, I said that

because the court has the goal to focus only on senior leaders to be tried. Meas Mut was both a division commander and a senior leader”].

238 **D54/37** Soem Ny WRI, A6, 26 [“When he noticed that a part of the roof was not built as he wanted he called the foreman of the construction workers to get to the ground. When the foreman came closer to him the foreman asked him if there were any mistakes. He did not reply. He immediately grabbed the axe from the foreman and slashed him on his forehead making his face covered with blood. Then the workers wanted to bring their foreman to a hospital but Ta Mut warned them that they would receive the same punishment if they did [...] A26: He was authoritarian. For example, when my friend who had been in the same unit with me visited me I gave him cigarettes and food. If Meas Mut had known about it he would have assigned them to work in other places such as Ream”]; **D114/16** Sok Vanna WRI, A23 [“Ta Mut was very vicious. He was easily able to beat and shoot anyone”]; **D114/66** Chet Bunna WRI, A20-21 [“I never saw any person with this kind of character and attitude like Ta Mut. He was very strict. He always called the commanders of the regiments and battalions to his place to receive his order. Those battalion and regiment commanders understood very well what to do to follow Ta Mut's order. If they could not execute his order successfully, they would definitely have problem. Q: How did you know about this thing? A21: We knew his character because our unit used to stay near his place. He had a house near Psar Leu, and another house near Wat Entanhean Pagoda”].

239 *See, e.g.*, **D114/79** Kang Sum WRI, A145-147 [“Q: What was your most important task on the island? A145: I was tasked with protecting the island. Q: Against whom did you protect the island? A146: During the Pol Pot regime, when they had us protect it, we had to protect it. Pol Pot gave the order to Ta Muth, who then had the soldiers go there. Q: Why did you know about his order? A147: I heard that from the leadership”]; **D54/43** Lon Seng WRI, A6-9 [“Q: During the fighting for Phnom Penh, who ordered Division 3 to enter Phnom Penh? A6: Ta Mut, who was the commander of Division 3. Q: When they entered Phnom Penh, where was the Division 3 headquarters located? A7: Division 3 headquarters, under Meas Mut's command, was located at Phnum Tmat Pong during the fighting for Phnom Penh. Q: Who reported to Meas Mut within Division 3? A8: Each regiment had its own political commissar who reported to Meas Mut, the political commissar of the division. Meas Mut reported to Ta Mok, who was the zone chief. Ta Mok reported to the Centre. Q: Besides what happened on the battlefield, what else did each regiment political commissar report to the division? A9: The report mainly focused on what happened on the battlefield as well as the daily livelihood of military officers, their morality, disciplinary issues and social affairs such as helping the people transplant seedlings, harvest rice and treating people when they were sick. Apart from the battlefield report, the political commissar was also responsible for politics, attitudes and assignments”]; **D54/24** Pak Sok WRI, A20 [“Q: What do you mean, Ta Mut was the most senior commander of the division? Was he responsible for military training and logistics, for instance? A20: Meas Mut was in charge of everything-military, logistics, fisheries, ship repair, port activities. For example he ordered Ta Bau, commander of Regiment 140, to carry out combat operations. He was in charge of the port activities-the entry and exit of foreign ships. Another example: during the last period of the regime when the refugees were fleeing from Vietnam in 1979, Meas Mut ordered me to go to Ream and destroy the ammunition, including anti-ship mines. At the time the workers there were about to kill me, accusing me of being a spy-Vietnamese KGB. However, I told them that I acted on the orders of Ta Mut, and I so survived”]; **D114/194** Sorn Sot WRI, A5, 39-43, 54-55, 69-70 [“In general, Ta Muth was the person who issued the orders [...] Q: Did you ever hear of a place called Teuk Sap? A39: Yes, I did. It was a place to detain prisoners. My group was detained over there. If anyone who was cultivating rice with me and committed mistakes, we would be detained there [...] How did you know this? A40: I just knew it. When we made mistakes we would be told about that. In meetings we were told that we needed to be careful. If we made mistakes we would be sent to Teuk Sap. Q: Do you remember who said this? A41: Our fellow workers knew this. They heard it being mentioned in the meetings. The persons who said this were the group chiefs in the cooperatives. They told us this straight away, but I never saw such an incident personally. Q: Whose command were those groups under? A42: They were under Ta Muth's command. Q: As group chiefs, they were very far from Ta Muth. So, how did you know that? A43: There were messengers from Kampong Som to the cooperatives [...] Q: How did you know that the force that arrested the boat was under Ta Muth's command? What was the unit that operated the boat arrest? A54: Ta Muth was the one who issued the order. He was the only person who issued orders. Q: Can you please explain further how you knew this? A55: Before any arrest, they used a C25 radio to contact the chief in order to ask him if they were to make an arrest or not. If the chief ordered an arrest, they had to make it [...] Q: On answer 17, you said that all the Sector 37 soldiers were arrested by Ta Muth's men. Who were those men you

referred to? A69: We did not know who they were. We did not know that. In fact, there were orders. For example, a house would have a manager. The persons issuing orders would be from different places. They did not make the arrests themselves, but they ordered the managers to make the arrests. There were chiefs there. For example, if they wanted to harm me, they had a messenger with a motorbike who would spy on me [...]

Q: To clarify, you said earlier that Ta Muth's men were sent to disband your group and regiment. How did you know that those men followed Ta Muth's orders? A70: If they did not follow him, they would have been in trouble. If they did not follow him, they would have been killed. They would have been killed too. If they did not follow him, they would have died even sooner than us [...] [I]n 1979 we fought against the Vietnamese troops. The battles in Smach Daeng and Teuk Sap took place for only a short period. They took place for about four hours. All of my group members withdrew to Srae Ambel"]].

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See, e.g., **D114/24** Ou Dav WRI, A87-91, 138-141 ["We sailed close to their boat and then jumped onto the Thai fishing boat. Then we pointed our guns at them. If they had fought back, we would have shot them dead. Q: What happened next? A88: After we captured their boat, piloted their fishing boat into our Cambodian waters at Kampong Som Port, Meas Muth's place. Q: During the training, did you receive orders to capture foreign boats which entered Cambodian waters? A89: Yes. During the training course, they told us that if any foreign boat entered our waters, we had to capture it. Q: Who gave the order to capture the boats? A90: The upper echelon. Q: How did you know about this? A91: I learned about orders from the upper echelon when the battalion called the company and platoon commanders to attend meetings. During the meetings, they said the order came from the Party, meaning the upper echelon. 'The Party' referred to Meas Muth. [...] A138: I received the order to carefully capture those boats. Q: Who gave the order? A139: The battalion commander. Q: Who did the battalion commander receive the order from? A140: The order came from the upper echelon. At that time, the upper echelon was only Meas Muth. Meas Muth also received his orders from his upper echelon. Sometimes, Meas Muth made decisions by himself. Meas Muth's subordinates did not dare make decisions by themselves. When I spotted any strange situation, I reported to my upper echelon, who then reported to other upper echelons in a hierarchical order. Q: How did you know that the order came from the upper echelon, Meas Muth? A141: Because Meas Muth was in charge overall of the Navy"]; **D54/34** Ing Chhon WRI, A1-2 ["Q: You said that your job in Koh Kong was to wait for orders to capture of illegal fishing boats. Could you explain who issued the orders to conduct such captures? A1: It was Ta Mut. He issued orders by telegram to the ship commander. I was just an ordinary sailor. My boat commander was my superior. Who Ta Mut received his orders from, I do not know. Q: How did you know that Ta Mut gave the orders? A2: There was a telegraph machine at Ta Mut's place. There was another telegraph machine at the former royal residence near Koh Kong Port. When the telegraph operators there received any orders from Ta Mut's place, those telegraph operators sent those orders to the ship commanders"]; **D114/12** Neak Yoeun WRI, A17-23 ["When our ship went to help the PCF boats, our ship did not directly participate in the capture. We only helped the PCF boats by blocking those boats from escaping or by stopping them from attacking the PCF boats. Our tactics were generally coordinated with the PCF boats, and we blocked boats from escaping. When we arrived, most times the Yuon boats stopped firing when they saw our cannons. After that, the PCF boats captured them. Q: Did your ship ever shoot at or ram and sink any boat? A18: As I remember, we never did that. We only blocked them from escape. Q: What did they do to call for help? A19: To request intervention, first the PCF boat made a request to Division 164, and then the division issued commands down to Regiment 140 and on down to Han's battalion. Han was the one who commanded our boat to go. Sometimes they even called for intervention in the middle of the night. Q: From whom did you learn about this method of communication? A20: This was the general operating procedure at that time. The orders came from the division to Han's battalion. Touch also talked about this. Q: You said that the orders came from the division to the battalion. Did you know who at the division level issued the orders? A21: Ta Mut issued the orders. Q: How did you know that the orders came from Ta Mut rather than from his deputy or his headquarters? A22: I would like to give you an example. All of the decisions came from the senior leader. His deputy could issue the orders only when Ta Mut was absent. In the battalion, Han issued the orders. Other people could speak, communicate, or write down the orders, but decision-making was chairman's work. In a case where the deputy chairmen, the members, and chairman were absent, everyone discussed the measures to be taken, but decisions were made by the chairman. Q: Was this process that you have described also implemented at Ta Mut's level? A23: It was the same"]].

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See, e.g., **D54/28** Liet Lan WRI, A14 ["When Phnom Penh collapsed, my unit was dispatched to Ream. At that time my unit was merged with Division 3 under the command of Meas Mut. Only a day after our stay in Ream, we were dispatched to Koh Seh Island, and we stayed there for about one month"]].

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See, e.g., D54/45 Lon Seng WRI, A15-16 [“Q: Who made a decision to send those soldiers to the big production unit in Putth? A15: I am not sure about that, but I think the decision was made by the chief of the division Meas Mut. Q: Besides Meas Mut, was there anyone else in the division who had the authority to make such decisions? A16: No, there was not”]; *D114/31* Moul Chhin WRI, A92-99 [“In fact, the division, thousands of troops, was demobilised. The demobilised troops were assigned to work in different production units and were sent to different work spearheads. Q: Who gave advance notice of the mobilisation? A93: The order clearly was issued by Ta Muth. Ta Muth’s men gathered us for a meeting and told us we would be sent to different worksites. They combined personnel from different units to work in production units. Q: Did you attend the meeting, or did you hear about it from others? A94: Meetings were organised at each platoon and company. Personnel were required to attend. If I had had refused, I would have been killed. Q: Did they organize many small meetings or only one big meeting? A95: There was a big meeting, and each of us was required to attend. They assigned those units to designated worksites. Then there were small meetings at those worksites where work instructions were issued. Q: Who led the big meeting? A96: To my knowledge, the big meeting attended only by battalion and regiment commanders was led by Ta Mok and Ta Muth. Then the commanders of battalions and regiments held further meetings to disseminate the information to their members. Q: During the meetings with their members, did the division commanders talk about their meeting with Ta Mok and Ta Muth? A97: They did not state they had met with Ta Mok and Ta Muth. Instead, they just stated that they had received orders from upper echelon. Q: Did you know about the meeting led by Ta Mok and Ta Muth? A98: That originated from my understanding and analysis. When they said they had met with upper echelon, they referred to Ta Mok and Ta Muth. That was their method of operation. Q: What did you know about Ta Mok and Ta Muth being upper echelon? A99: It was common knowledge that Ta Mok and Ta Muth were Zone Committee and had the authority to command the division”]; *D114/24* Ou Dav WRI, A40-42 [“Q: Were Meas Muth and Sie Met present when the trucks were driven away or when the people boarded the trucks? A40: Sie Met and Meas Muth arrived there at 9 a.m. and Ta Mok arrived later. Sie Met and Meas Muth were in direct command there. Q: Did Sie Met and Meas Muth order and arrange the rounding up of the persons who were trucked away? A41: Yes, correct. Pol Pot was the most senior leader. Below Pol Pot were Nuon Chea and Son Sen. Ta Mok, Sie Met, and Meas Muth were in direct command of that place. Q: While you were working at the airport, they told you that they would send you to Kampong Som. Can you describe that event? A42: After 25 April 1975, they sent Battalion 180 to Kampong Som. Sie Met, Meas Muth, and Ta Mok were the commanders who ordered us sent us there. When we arrived in Kampong Som, some soldiers including me were sent to join the Navy. We were under Meas Muth’s command. At that time, there were disputes with Thailand and Vietnam over maritime borders. Later in early 1976, Angkar arrested three battalion commanders and six other soldiers who were close to those battalion commanders, including me”].

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See, e.g., D114/215 Meas Im WRI A66-67, 70, 75-76 [“Q: In connection with the work at the worksite, did Mienh ever instead receive any instructions from anywhere else? A66: Before, he received orders directly from Meas Muth. Q: In connection with the work at the worksite, can you explain how Mr. Meas Muth was able to give instructions to Mienh? A67: We did not grasp that. We did not know about the instructions from Meas Muth to Mienh. We did not know about things political. We only received instructions from Mienh through Meas Muth on the technical side of things [...] Q: What all were the technical tasks related to your work that your older brother gave to you through Mienh? A70: The first technical task was to construct the road from the oil factory to Stueng Hav. Second, was constructing the up-and-down road(s) in Stueng Hav Worksite and levelling things from the foot of the mountain to Stueng Hav beach to make it flat [...] Q: How did your older brother communicate with Mienh, by what means? A75: They communicated via field telephone and telegram. Q: How did you know? A76: As I was there at Mienh’s house. I lived near Mienh’s house and I saw such equipment”]; *D114/175* Neak Sitha WRI, A48, 52 [“I heard Meas Muth saying that we had to work. If we did not work on time, at the turning point, the historical wheel would roll over us. [...] A52: [Meas Muth] was the chief and he ordered others to work”]; *D114/6* Yin Teng WRI, A31-34 [“To my knowledge, the village chief went to have meetings with Ta Mut every morning before coming to lead meetings with the villagers at 11 a.m. Q: Did you know why the village chief went to have meetings with Ta Mut? A32: The village chief was told in the meetings the tasks which Angkar assigned. Q: Did the village chief say that he had met with Ta Mut? A33: Yes, it was announced to us that the village chief had met with Ta Mut, who told him about Angkar’s new plans. Q: Did the village chief say that he had meetings with Ta Mut frequently? A34: I do not know if he spoke the truth or lied when he said he met with Ta Mut once a month”].

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See, e.g., D114/24 Ou Dav WRI, A26, 42 [“Q: Had you seen Meas Muth before? A26: I saw him probably in 1975 or 1976, before the other soldiers and I were arrested. After 25 April 1975, they sent my battalion to Kampong Som [...] Q: While you were working at the airport, they told you that they would send you to Kampong Som. Can you describe that event? A42: After 25 April 1975, they sent Battalion 180 to Kampong Som. Sie Met, Meas Muth, and Ta Mok were the commanders who ordered us sent us there. When we arrived in Kampong Som, some soldiers including me were sent to join the Navy. We were under Meas Muth's command. At that time, there were disputes with Thailand and Vietnam over maritime borders. Later in early 1976, Angkar arrested three battalion commanders and six other soldiers who were close to those battalion commanders, including me”]; *D114/85* Chet Bunna WRI, A18-20 [about the arrest of Kung Kien alias Oeng Vet: “I also knew him because he taught us and talked with us. Everyone was aware of his arrest, because he was a prominent figure. At that time, he lived at Kang Keng Airport [...] A19: he was arrested about a month after Dim and Chhan had been arrested. They had to arrest all of the people who were under Dim's and Chhan's command, and this arrest was also made public. Q: Did Meas Muth announce this arrest publically? A20: Yes they did”]; *D54/7* Dol Song WRI, A16 [“As far as, I know as a commander of a marine division, Meas Mut was responsible for dealing with issues related to water borders. He was also responsible for screening the biographies of the marines and deciding whether to arrest or anyone who had committed mistakes”]; *D54/8* Dol Song WRI, A2-3 [“Q: Before the interview stopped yesterday, you told us that the responsibility of division commanders such as Meas Mut was to screen out, arrest, and kill the wrongdoers. Please explain who those wrongdoers were. A2: The wrongdoers referred to those soldiers in the division who had committed mistakes. Q: What kinds of mistakes would account for them being arrested and killed in Division 164? A3: I am not sure what kinds of mistakes would reach the threshold for arrest and killing. However, I can suggest examples for those mistakes. Any soldier whose siblings at their base (hometown) had been arrested and accused of being traitors would also be arrested from within their unit. For instance, if the regimental chairman was arrested, his wife and family would also be arrested. However, I did not know what they did to those arrestees afterwards. In general, at that time, once arrested, the person would disappear forever. If a soldier was removed from his unit, he might be sent to work at another place. If a soldier was arrested, he would disappear. As I previously mentioned, if a regimental commander was arrested and accused of being a traitor, or a KGB or CIA agent, his wife, children, messenger and close acquaintances would also be arrested. In particular this applied to people accused of having connections with the Vietnamese.”]. *See also D54/44* Lon Seng WRI, A19 [“Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Muth, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers therefore, they had to be removed completely from the division. I am not sure, but I believe there must have been some competition among the division leaders. That was the reason those soldiers could not be put in the same division”]; *D59/2/2.16a* Sim Ny DC-Cam Statement, EN 01332607 [“Q: Was Ta Muth the person who was responsible for interrogation and the decision to send in and out [of Wat In Nhean]? A: That's right. Ta Muth was the one who ordered to send out. [...] Q: Did you see Ta Muth coming in and out that place often? A: I did”].

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See, e.g., D4.1.786 Pech Chim WRI, EN 00381027-28 [“I would like to bring up here an obvious example in which Ta Mok personally came to give the instructions at the office of my District. At that time Ta Mut also came to meet me the District office. Ta Mok scolded Ta Mut who had ordered the killing of comrade Kang Chea, the ammunition guard of Mr. Soeung alias Keut who was the commander of a military division. Ta Mok asked [...] ‘why did you always kill my men? If you were not sure [who they were], why didn't you ask comrade Chim.’ Ta Mok added, ‘In the future do not do like that again’. This story was as follows: One day Mut received a report from Nhev telling him that Käng Chea was hiding ammunition in a trench. After Ta Mut had received. that report, in that evening, he came to see me at the District office and ordered me to call Käng Chea to meet with him. So, I and one militia went to call Kang Chea. But I told Ta Mut that there was no problem with Kang Chea. Ta Mut still insisted that I had to call Kang Chea to see him. At that time [I let] the militia to go alone to take Kang Chea to meet with Ta Mut, I did not go to see him. At mid night I heard the sound of gunfire of AK [47] in the forest nearby. Next morning I called that militia to ask how was comrade Chea; the militia answered that comrade Chea was executed. This happened in about 1974. After liberation day in 1975, Ta Mok used to give the instructions during the meeting that there should not be arbitrary killing”]; *D54/26* Pak Sok WRI, A30-31 [“Q: Why do you say that the military personnel from Division 164 killed all those 17 April people? A30: Because that area starting from Veal Renh was under the control of Meas Mut. Q: Have you ever been to that killing and grave site? A31: No, I have never entered that

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site, but the military personnel who were minding ducks there pointed out that killing site for me”]; **D54/56** Meas Voeun WRIA, EN 00973406 [“Meas Voeun stated that Launh allegedly survived an arrest assassination attempt initialized ordered by Meas Muth in late 1978 early 79”]; **D114/194** Sorn Sot WRI, A5, 70 [“Q: Is what was read to you correct? Are there any inaccurate names or misspellings that you want to correct? A5: There are several mistakes. The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. Anyone who refused to follow the order was killed. In general, Ta Muth was the person who issued the orders. After that, in 1979 when the national rescuers arrived, they took us back to fight. We were armed again to fight against the National Salvation Front. We were forced to drive their tanks. We had to do it or we would be killed. [...] Q: To clarify, you said earlier that Ta Muth's men were sent to disband your group and regiment. How did you know that those men followed Ta Muth's orders? A70: If they did not follow him, they would have been in trouble. If they did not follow him, they would have been killed. They would have been killed too. If they did not follow him, they would have died even sooner than us”].

D114/16 Sok Vanna WRI, A11-15, 23 [“Q: At that time, what was Ta Mut's position in the Southwest Zone military? A11: He was the chairman of Division 3, and after he went to Kampong Som he was still the chairman of the division. Q: What was Ta Mut's authority as Division 3 Commander stationed in Kampong Som? A12: He had the power to command all regiments and battalions under Division 3, including the various ships, to defend this and that location, and to capture boats or ships that entered Cambodian territorial waters. Q: In Division 3, was anyone superior to Ta Mut? A13: No, there wasn't. Ta Mut was the highest-ranking chairman. Q: You said Ta Mut had the authority to command military units. What was the extent of his authority in relation to the general people in Kampong Som? A14: He also had the authority to command cooperative chiefs and commune chiefs too. In fact, no ordinary people lived in Kampong Som or on the islands: there were only soldiers [...] Q: Who told you that Meas Mut had the authority to give orders to the cooperative chairpersons and the commune chiefs? A15: I heard that he had the authority to command ordinary people. And I knew for sure that he had command authority over military units [...] Q: Was there any institution or unit in Kampong Som with authority over Division 3? A23: No, there was not. Ta Mut, the division chairman, had the greatest power. Ta Mut was very vicious. He was easily able to beat and shoot anyone”]; **D114/194** Sorn Sot WRI, A5, 39-43, 54-55, 69-70, 77 [“In general, Ta Muth was the person who issued the orders [...] Q: Did you ever hear of a place called Teuk Sap? A39: Yes, I did. It was a place to detain prisoners. My group was detained over there. If anyone who was cultivating rice with me and committed mistakes, we would be detained there [...] How did you know this? A40: I just knew it. When we made mistakes we would be told about that. In meetings we were told that we needed to be careful. If we made mistakes we would be sent to Teuk Sap. Q: Do you remember who said this? A41: Our fellow workers knew this. They heard it being mentioned in the meetings. The persons who said this were the group chiefs in the cooperatives. They told us this straight away, but I never saw such an incident personally. Q: Whose command were those groups under? A42: They were under Ta Muth's command. Q: As group chiefs, they were very far from Ta Muth. So, how did you know that? A43: There were messengers from Kampong Som to the cooperatives [...] Q: How did you know that the force that arrested the boat was under Ta Muth's command? What was the unit that operated the boat arrest? A54: Ta Muth was the one who issued the order. He was the only person who issued orders. Q: Can you please explain further how you knew this? A55: Before any arrest, they used a C25 radio to contact the chief in order to ask him if they were to make an arrest or not. If the chief ordered an arrest, they had to make it [...] Q: On answer 17, you said that all the Sector 37 soldiers were arrested by Ta Muth's men. Who were those men you referred to? A69: We did not know who they were. We did not know that. In fact, there were orders. For example, a house would have a manager. The persons issuing orders would be from different places. They did not make the arrests themselves, but they ordered the managers to make the arrests. There were chiefs there. For example, if they wanted to harm me, they had a messenger with a motorbike who would spy on me [...] Q: To clarify, you said earlier that Ta Muth's men were sent to disband your group and regiment. How did you know that those men followed Ta Muth's orders? A70: If they did not follow him, they would have been in trouble. If they did not follow him, they would have been killed. They would have been killed too. If they did not follow him, they would have died even sooner than us [...] [I]n 1979 we fought against the Vietnamese troops. The battles in Smach Daeng and Teuk Sap took place for only a short period. They took place for about four hours. All of my group members withdrew to Srae Ambel. [...] Q: Did Ta Muth command the army at that time? A77: Yes, he did. He was in command with Ta Seng. Ta Muth commanded the troops directly”]; **D114/77** Svay Sameth

WRI, A39, 46-47 ["My work was related to these personal documents. Each soldier's document was cross-checked by a special committee of the Division, the so-called Inspection Committee. I do not know how many people worked for the Inspection Committee, but I know that they sent their trusted soldiers to the soldiers' hometowns to have their biographies inspected. This committee ordered the Regiment to choose some soldiers that they trusted to verify the biographies of the soldiers at their home towns [...] Q: How did you know that Meas Muth formed this committee? A46: He was responsible for Division 164, so he decided everything. No one was higher than Meas Muth in rank, so this committee was formed by Meas Muth. I think that Meas Muth was ordered by the higher levels to form this committee. Q: Why do you think that the higher levels ordered the formation of the Inspection Committee? A47: They said that that plan was laid out by the higher levels"].

247 **D114/66** Chet Bunna WRI, A20-21 ["I never saw any person with this kind of character and attitude like Ta Mut. He was very strict. He always called the commanders of the regiments and battalions to his place to receive his order. Those battalion and regiment commanders understood very well what to do to follow Ta Mut's order. If they could not execute his order successfully, they would definitely have problem. Q: How did you know about this thing? A21: We knew his character because our unit used to stay near his place. He had a house near Psar Leu, and another house near Wat Enta-nhean Pagoda"].

248 **D114/79** Kang Sum WRI, A36, 229, 267, 269 ["Ta Muth was the Commander. Ta Dim was his Deputy. Ta Chhang was a member of the Division [...] A229: [...] Ta Nhan was the Deputy Commander of Division 164. He was in charge of logistics. [...] Q: Who were the Deputy Commanders of the Division? A267: Ta Dim and Ta Chhan were. I remember only them. This is what I knew firsthand. I do not know what happened in the East Zone. I just heard about what happened there [...] A269: Ta Chhan was Deputy Commander of the Division"]; **D114/103** Liet (Nam) Lan WRI, A25, 111 ["Q: Who else were division members? A25: Nhan (deceased). He had come from Division 3 [...] A111: Lan (deceased) and Nhan (in charge of Division 3 Logistics)"]; **D114/113** Koem Men WRI, A31, 126, 207 ["After deploying soldiers to the islands, they re-organized the division. Then there was Division 164. Meas Muth was the Division Commander, Dim (from Prey Veng Province) was his deputy and Chhan was a member [...] A126: [...] There were Brother Nhan and another person whose name I do not recall. They were Meas Muth's deputies. [...] Q: Yesterday you said that, after Ta Dim and Chhan left, Nhan replaced them. When soldiers were sent to the East Zone, did Nhan go there as well? A207: No, he didn't"]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A12 ["At that time Meas Mut was the Division chairman, and Ta Nhan was the Division [164] member"]. Note that one witness also claims that Ta Im was Deputy Commander of Logistics in Division 164: **D54/20** Sam Saom, A14 ["I went to do labor work at Kang Keng Airport for one month. It was difficult work. I farmed rice in a mobile unit under the leadership of Ta Im. Im was the next highest ranking cadre under Meas Mut. Im was in charge of the work at the Kang Keng worksite and was also the deputy commander for logistics of Division 164. I think that Im was perhaps one of Meas Mut's relatives but do not know if he was one of Meas Mut's siblings or cousins"]; **D54/10** Meu Ret alias Saret WRI, A9 ["After the navy was created, Seng became a deputy commander of Regiment 140. Later, he became a deputy commander of Division 164"]; **D54/98** Heang (Hieng) Ret WRI, A28 ["After Tim Seng was promoted to chairperson of Division 164 instead of Meas Muth in 1979 during the fierce combat with the Vietnamese, Ta Han became the commander of Regiment 140"]; **D54/29** Liet (Nam) Lan WRI, A3 ["Seng told me Meas Mut was an assistant to the General Staff. Seng knew about this because, when Meas Mut was absent from Kampong Som, he was in charge"]; **D54/79** Nop Hal WRI, A26 ["Ta Mut was Division Commander. Ta Seng and Ta Mut were in charge of the division. Ta Mut was the senior level commander and had been in charge of the division a long time. When Ta Seng came, he worked as a subordinate of Ta Mut. So, Ta Mut held a more senior position than Ta Seng"]; **D54/73** Mut Mao WRI, A16 ["When Meas Mut was not present, Ta Seng and Ta Nhan came. But I did not know who was in charge"]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974098, KH 00926542-43 ["Tim Seng, but he has died as well. Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh"]; **D2/9** Say Born WRI, A30 ["After the reorganizing, the chief of the Division 164 was Mr. Mut, Mr. Dim from the East Zone became the deputy, and Chhan was the member"]; **D54/81** Hing Uch WRI, A14 ["Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut"]; **D54/10** Meu Ret alias Saret WRI, A7 ["After Division 3 was re-designated Division 164, there was a man named Ta Chhan from Sector 37's Koh Kong, and this two battalion-strong military unit merged with Division 164. Ta Chhan became a deputy commander of the division"]; **D114/65** Chet Bunna WRI, A12 ["There were two other deputies under [Meas Muth] namely

Chhan and Dim”]; **D114/104** Iem Phong WRI, A168 [“Ta Chhan was at Division 3 level. He was division chairman under Ta Muth”]; **D114/241** Chheng Cheang WRI, A87 [“Chhan was the deputy chief”]; **D114/89** Seng Sin WRI, A15 [“In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander and Nget was a member”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462 [“The 3rd division political officer was ((Meas)) Mut, the division operations officer was ((Dum)) (deceased) and the deputy division commander was ((Chhan))”]; **D4.1.747** Aek Ny US POW/MIA Statement, EN 00387291 [“3rd division political officer. ((Nong)) Chhan, was the political officer for the 3rd division”].

249 **D1.3.28.45** S-21 Prisoner List, 26 Aug 1977 [listing Mam Chim alias Yan as Division Member of Division 164]; **D114/145.1.17** List of Implicated People in Division 164, 12 Apr 1977, EN 01184593 [listing Yan as Division 164 Member]; **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750 [listing Mom Yan as Division 164 Member who was sent to S-21 in May 1977]; **D54/10** Meu Ret alias Saret WRI, A8 [“Q: Do you know what happened to Chhan in 1976? A8: I heard that Ta Chan had become a traitor and was removed; he then disappeared”]; **D114/104** Iem Phong WRI, A53 [“Ta Chhan was taken away first, and Ta Dim was taken away later”]; **D114/89** Seng Sin WRI, A60 [“I do not know how many soldiers were sent back at that time. The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting”]; **D114/116** Svay Saman WRI, A27, 31 [“Mom Yan was in Division 164 in 1975 [...] Q: You said that he simply disappeared. According to this list, Mom Yan was arrested around May 1977. Can you tell us the circumstances of his disappearance? A31: he disappeared before I left for the East Zone [in 1977]”]; **D54/104** Ek Ni alias Oek WRI, A5 [“Yan was a member of Division 164 [...] Yan was among traitors whose names were made a rhyme by Ta Mut”]; **D114/155** Sok Ren WRI, A67 [“Q: Who was the commander of Division 164? A67: I learnt some information from an acquaintance, who was also a combatant in the armed struggle. He told me that Meas Muth was a commander of Division 164. I did not know who the deputy commander was. I knew Ta Dim, Ta Yan, and Ta Chhan served in Division 164”]; **D54/81** Hing Uch WRI, A14 [“Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut”]; **D54/48** Em Sun WRI, A58 [“Q: Did you know if any members of Division 164 were sent to Tuol Sleng or Sa-21? A58: I just heard that Nget and Sras were arrested”]; **D4.1.747** Aek Ny US POW/MIA Statement, EN 00387291 [“3rd division political officer. ((Nong)) Chhan, was the political officer for the 3rd division. He was killed in a purge of command personnel from the division in 1976 near the Annhean (Anyean) pagoda in Kampong Som”].

249 **D54/7** Dol Song WRI, A8 [“Nget was the Political Chairmam of Regiment 20; he was arrested during the purge period in around 1977”]; **D54/8** Dol Song WRI, A4-5 [“As far as I remember, those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion, and his wife Rim. [...] Those people disappeared forever except for Yeay Rim who is still alive. [...] A5: They were arrested at the end of 1977 or in early 1978”]; **D114/95** Yoem Sroeung WRI, A64 [“Q: Can you tell us the names of people you knew were taken away? A64: They were Nget, Dim, Yan, Chhan, Sokh and so on”].

250 **D1.3.22.1** CPK Statute, EN 00184037 [“At the designated times, lower echelon must report to upper echelon on the situation and on work done”], EN 00184044 [“Go down close to the Sectors, Districts, Branches, and the specific bases of the Branches in the unions and cooperatives and in the Revolutionary Army, in order to lead the implementation of tasks, both among the popular masses and internally, to be always hot and active in plans according to the political lines of national defense and the construction of Democratic Kampuchea and according to the Party’s direction of socialist revolution and building socialism.”].

251 See para. 86.

252 **D1.3.22.1** CPK Statute, EN 00184033 [“Implementation of Party discipline is done though detailed examination, analysis, and deliberation standing on the principle of absolute collectivity”].

253 **D54/7** Dol Song WRI, A16-17 [“As far as I know, as a commander of a marine division, Meas Mut was responsible for dealing with issues related to water borders. He was also responsible for screening the biographies of the marines and deciding whether to arrest or anyone who had committed mistakes. Q: How did you know that the division commanders were in charge of screening biographies of the soldiers? A17: I did not see all about this. This is just my assumption. I think it was the responsibility of the division commanders. Regarding the screening, if they found out that a soldier had siblings/relatives who had worked for the previous regime, that soldier would be removed and sent to a different place. He would be sent to a

different unit to work at rice fields or farms. At that time, anyone who committed mistakes would be arrested; there was no court to rule whether the person was innocent or guilty. As for screening in my own case, investigators were sent to my village to verify if my biography was correct and whether or not I had siblings or relatives who had worked in the previous regime"; **D54/44** Lon Seng WRI, A26-28 ["During the training period, the history and biography of each soldier was investigated. They even went to the soldiers' hometowns to obtain information. Q: Who made the announcement in that training meeting? A27: The chief of division, Meas Mut. Q: Was the phrase "to investigate at their (soldiers') hometowns" your own words, or was it said by Meas Mut? A28: The chief of the division Meas Mut advised the regiment commanders to obtain information on historical backgrounds of the East Zone soldiers from their hometowns, in order to find out whether or not those soldiers had good backgrounds"]; **D114/181** Sem Kol WRI, A40 ["Q: Was that the only time you were asked to have your autobiography recorded? A40: Yes, only that once. When I became a teacher, my autobiography was recorded frequently, twice a year. During that era, we had to conceal information. For instance, someone with high education would record that they studied only until Grade 7. If a person was a middle-class peasant, they would record that they were a lower-class peasant"].

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D54/8 Dol Song WRI, A2-3 ["Q: you told us that the responsibility of division commanders such as Meas Mut was to screen out, arrest, and kill the wrongdoers. Please explain who those wrongdoers were. A2: The wrongdoers referred to those soldiers in the division who had committed mistakes. Q: What kinds of mistakes would account for them being arrested and killed in Division 164? A3: I am not sure what kinds of mistakes would reach the threshold for arrest and killing. However, I can suggest examples for those mistakes. Any soldier whose siblings at their base (hometown) had been arrested and accused of being traitors would also be arrested from within their unit. For instance, if the regimental chairman was arrested, his wife and family would also be arrested. However, I did not know what they did to those arrestees afterwards. In general, at that time, once arrested, the person would disappear forever. If a soldier was removed from his unit, he might be sent to work at another place. If a soldier was arrested, he would disappear. As I previously mentioned, if a regimental commander was arrested and accused of being a traitor, or a KGB or CIA agent, his wife, children, messenger and close acquaintances would also be arrested. In particular this applied to people accused of having connections with the Vietnamese"]; **D114/194** Sorn Sot WRI, A5 ["Q: Is what was read to you correct? Are there any inaccurate names or misspellings that you want to correct? A5: There are several mistakes. The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. Anyone who refused to follow the order was killed. In general, Ta Muth was the person who issued the orders. After that, in 1979 when the national rescuers arrived, they took us back to fight. We were armed again to fight against the National Salvation Front. We were forced to drive their tanks. We had to do it or we would be killed"]; **D114/31** Moul Chhin WRI, A90-94 ["Q: Why did they demobilise your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead. Q: Do you know why all the unit commanders were killed? A91: To this day I am still wonder why they killed them. Every time battalion/regiment commanders were called away to study at the cinema in Kampong Som, they disappeared and we never saw them return. Because of the long absence of battalion/regiment commanders from the unit, we asked one another about this. Some people said the training sessions had not yet come to an end. But after months passed, they still did not return. After our battalion/regiment commanders disappeared, our food ration became smaller and smaller, and each one of us was assigned to carry three cubic metres of earth a day to place on the top of a dam. Q: They demobilised and transformed your unit into a production unit, correct? A92: In fact, the division, thousands of troops, was demobilised. The demobilised troops were assigned to work in different production units and were sent to different work spear heads. Q: Who gave advance notice of the mobilisation? A93: The order clearly was issued by Ta Muth. Ta Muth's men gathered us for a meeting and told us we would be sent to different worksites. They combined personnel from different units to work in production units. Q: Did you attend the meeting, or did you hear about it from others? A94: Meetings were organised at each platoon and company. Personnel were required to attend. In had refused, I would have been killed"].

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D114/194 Sorn Sot WRI, A5 ["Q: Is what was read to you correct? Are there any inaccurate names or misspellings that you want to correct? A5: There are several mistakes. The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. Anyone who refused to follow the order was

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256 **D114/194** Sorn Sot WRI, A70 ["Q: To clarify, you said earlier that Ta Muth's men were sent to disband your group and regiment. How did you know that those men followed Ta Muth's orders? A70: If they did not follow him, they would have been in trouble. If they did not follow him, they would have been killed. They would have been killed too. If they did not follow him, they would have died even sooner than us"].

257 **D54/41** Or Saran WRI, A8-10 ["I knew for sure that Meas Mut was the division chief alone. Meas Mut was the chief of Division 3 and directly controlled the regiments and battalions. Q: You said Meas Mut was the general chief of the division. Can you describe his responsibilities? A9: Meas Mut was generally responsible for food supplies, ammunition and weapons. Q: As chief of Division 3, could Meas Mut punish and discipline the troops? A10: [On] the battlefield, [it] was a life-and-death situation. Nobody dared make mistakes. Everyone strictly obeyed the rules, so nobody made mistakes because all of them were scared. There were self-criticism meetings. People had to follow their orders and assignments"].

258 **D114/16** Sok Vanna WRI, A23-25 ["Q: Was there any institution or unit in Kampong Som with authority over Division 3? A23: No, there was not. Ta Mut, the division chairman, had the greatest power. Ta Mut was very vicious. He was easily able to beat and shoot anyone. Q: Why do you say that? A24: For example, in the military, if a soldier made any mistake or did something inappropriate, he did not tell that soldier this or that: he remained silent, and then he beat that soldier unconscious. Q: Did you ever see such an event? A25: Yes, I once saw such an event first-hand after the victory in Phnom Penh. At that time, they had my unit build a railway from Veal Rinh to Kampot. A soldier was playfully throwing rocks into the woods. Ta Mut saw this, walked towards the soldier, and beat him unconscious. Later I heard other people say that he was still as vicious as he had been previously''].

259 **D4.1.786** Pech Chim WRI, EN 00381027-28 ["I would like to bring up here an obvious example in which Ta Mok personally came to give the instructions at the office of my District. At that time Ta Mut also came to meet me the District office. Ta Mok scolded Ta Mut who had ordered the killing of comrade Käng Chea, the ammunition guard of Mr. Soeung alias Keut who was the commander of a military division. Ta Mok asked [...] 'why did you always kill my men? If you were not sure [who they were], why didn't you ask comrade Chim.' Ta Mok added, 'In the future do not do like that again.' This story was as follows: One day Mut received a report from Nhöv telling him that Käng Chea was hiding ammunition in a trench. After Ta Mut had received that report, in that evening, he came to see me at the District office and ordered me to call Käng Chea to meet with him. So, land one militia went to call Käng Chea. But I told Ta Mut that there was no problem with Käng Chea. Ta Mut still insisted that I had to call Käng Chea to see him. At that time [I let] the militia to go alone to take Kang Chea to meet with Ta Mut, I did not go to see him. At mid night I heard the sound of gunfire of AK [47] in the forest nearby. Next morning I called that militia to ask how was comrade Chea; the militia answered that comrade Chea was executed. This happened in about 1974. After liberation day in 1975, Ta Mok used to give the instructions during the meeting that there should not be arbitrary killing"].

260 **D54/87** Prum Sarat WRI, A54 ["Orders were transmitted from division to regiment, from regiment to battalion, from battalion to company, and from company directly to the personnel"]; **D114/24** Ou Dav WRI, A68, 140 ["The radio was on all the time. The regiment gave orders to lower units in hierarchical order [...] A140: The order came from the upper echelon. At that time, the upper echelon was only Meas Muth. Meas Muth also received his orders from his upper echelon. Sometimes, Meas Muth made decisions by himself. Meas Muth's subordinates did not dare make decisions by themselves"]; **D54/82** Hing Uch WRI (telegram decoder, Regiment 62, Division 164), A9 ["Q: At Regiment 63 level of Division 164, did you receive instructions from other levels besides Division 164? A9: No, I did not. Everything I received was from

Division 164”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968404 [“When we saw ... we reported to the Regiment, and the Regiment reported to the Division. Then, the Division told the Regiment what action would be taken, and the Regiment told the Battalion accordingly, and they used my group”]; **D2/10** Say Born WRI, A6 [“Speaking about the order to attack, I did not receive the order from the Division directly. The order came directly from the chief of my pursuit-vessel unit”]; **D54/25** Pak Sok WRI, A19 [“Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons”]; **D114/12** Neak Yoeun WRI, A22 [“All of the decisions came from the senior leader. His deputy could issue the orders only when *Ta Mut* was absent. In the battalion, Han issued the orders. Other people could speak, communicate, or write down the orders, but decision-making was chairman's work. In a case where the deputy chairmen, the members, and chairman were absent, everyone discussed the measures to be taken, but decisions were made by the chairman”]; **D114/287** Heang Reth WRI, A34, 37 [“I did not participate in the meetings with Meas Muth directly. The battalion chief directly participated in the meetings with Meas Muth and he passed the information onto my unit. [...] A37: Each representative of the units further conveyed the events to their respective units. However, the message that was further conveyed was not different from the original plan that the division received”]; **D54/33.1** Y Chhon DC-Cam Statement, EN 01073826 [“The meetings were not held regularly. Sometimes, high-ranking cadre came to meet him, and then they only relayed instructions to us lowranking cadres”].

261 **D114/19.1** Report from Mak Chhoeun to Meas Muth, 5 Jan 1976, EN 01513919; **D54/82** Hing Uch WRI, A20 [telegram decoder, Regiment 62, Division 164: “Then we summarised each point, wrote the important points into the report in the order of their significance, and wrote all of the points into that one report”]; **D114/19** Mak Chhoeun WRI (former commander of Regiment 550, Division 164), A26, 28, 34 [“I reported to a radio operator in the division, who then relayed my report to the the division commanders, *Ta Mut* and *Ta Dim* [...] A28: Yes, I used C-25 radios and telegraphs. When I sent a report by telegraph, I sent it to the regiment directly, and the whether or not they relayed that report on to the division was up to them [...] A34: As the most senior commander in overall charge, Meas Mut wanted to know what happened in the division. Generally, I had to report to the regiment, and the regiment relayed the reports to him”]; **D114/24** Ou Dav WRI, A104 [platoon commander in Battalion 450: “I reported to the company commander, who reported to the battalion. Then the battalion reported to the upper echelon”]; **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A142 [“When their ships left on operations, the division commander ordered the regiment to prepare the ships in order to depart to conduct operations. But when the ship arrived in the middle of the sea and they encountered fighting, they had to communicate to the regiment, and then the regiment continued communicating to the division”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968404 [“When we saw [...] we reported to the Regiment, and the Regiment reported to the Division”]; **D54/25** Pak Sok WRI, A19 [“Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons”]; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [chairwoman of the mobile unit: “Q: So, when you needed something, you sent your request to Granduncle Nhan, and then Granduncle Nhan would forward it to Granduncle Mut. A: Yes, he forwarded to Granduncle Mut”].

262 **D54/79** Nop Hal WRI, A19 [“I do not know. As I told you, orders to capture boats and send them somewhere were given by higher level. The orders stated clearly that we had to report every detail of our investigations on the sea of Cambodia; those orders were from higher level”]. *See, e.g.,* **D1.3.34.14** Telegram 15 from Dim to Meas Muth, 6 Oct 1976, EN 00233661 [Dim reports on ships entering the maritime region, rice supplies and requests oil for the boats]; **D1.3.14.2** Telegram 43 from Moeun to Meas Muth, 13 Jul 1977 [Moeun describes the enemy situation at Ochheuteal and Koh Rong Samloem island, criticises the conduct of one transportation worker at Ochheuteal, and requests a decision from Meas Muth on whether to take a Vessel No. 2 for repair to Ream].

263 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.45.51-13.50.21 [“if the forces at the battlefield at Kratie had to report, the report would be submitted to Muth and the reports had to be made since he had to be informed of how many weapons or ammunition [were] needed. And then they would communicate with each other at the upper level”]; **D54/62** Moeng Vet WRI, A22, 25 [“When the Vietnamese struck us along the border, Meas Mut always went to check the situation at the front line [...] A25: From what I knew, in the name of the Deputy of the General Staff, he had to go to examine the situation locations where disputes occurred along

the border”]; **D54/63** Moeng Vet WRI, A11-17, 19 [“Meas Muth worked on the General Staff, so he had authority to order three branches of the military forces. A12: [In October 1978] we requested help from Meas Mut, and he told Rum to wait a bit – that afternoon he sent the aircraft to help us [...] A13: As a messenger, I worked in the office with the telegraph operator and the commander, so I knew what happened in that office. Q: When you said that Meas Mut ordered Rum to wait, did he communicate via telegram or radio? A14: He replied back via telegram. Q: Were the reports sent from Division 117 to Meas Muth on a daily basis, or were they sent only when something happened? A15: Before the fighting, the reports were routinely sent on a daily basis, but after the fighting started, reports were sent every time anything happened [...] A16: The reports were sent to the General Staff, not to any specific person, but we knew that a person who got the telegrams worked for someone. For example Thi and Kung were Meas Mut’s messengers. Q: How did you know that Meas Mut was the one who told Rum in the telegram to wait for the aircraft? A17: I saw the telegram. [...] A19: Meas Mut began to be involved in responsibility for the eastern border in 1978 when the Vietnamese soldiers were striking strongly”]; **D114/285** Bun Sarath (Prum Sarat) WRI, A224 [“When Meas Muth travelled to Kratie, the important purpose was the war along the border between Cambodia and Vietnam. The fighting was intensive”].

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Meas Muth has himself admitted going to Kratie. However, inconsistent with all other evidence on the Case File, he stated that this occurred in February 1978: **D54/16/1R** Audio Recording of Interview with Meas Muth by David Kattenburg, Apr 2009, 34:37-35:28 [“I was not at Kampong Som. In February 1978 I had left Kampong Som already. Q: Where did he go? A: I was assigned to work in Kratie province near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission in Kratie”]. See **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 [“There was a reshuffle, new cadres went to replace the old ones and the old ones were sent to Phnom Penh, and after that they disappeared. That happened during the intensified situation pursued by the Vietnamese or ‘Yuon’; and at the time, ‘Yuon’ took over the whole Snuol district. Muth went there”], 15.43.55-15.46.20 and **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.52.20-09.54.38 [testified to seeing a letter marked ‘M-870’ delivered by Meas Muth’s messengers, Thi and Kung, to Division 117 Commander, Rum, calling 11 individuals from Division 117 and Sector 505, to Phnom Penh and specifying details of their journey by air] confirming **D54/62** Moeng Vet WRI, A24, 29 [“a messenger came from the airport to deliver a letter to Rom, the commander of Division 117, to have him attend a meeting in Phnom Penh [...] I saw that the letter was sent from the Office 870 (Mo-870) [...] That letter listed the names of 11 people who were called to attend the meeting [...] A29: [...] The persons who brought the letter from Office 870 to Rom were Thy and Kung. Thy and Kung were in charge of the telegraph in the messenger unit of Meas Mut”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992990 [“It was not until 1978 that [Meas Muth] went to Kratie after Von Vet was arrested”]; **D114/52** Cheang Chuo WRI, A42 [“Q: When did Meas Muth go to Kratie Sector? A42: In light of the fact that Ta Nhan went to command Division 117 about a month before the arrival of the Vietnamese soldiers in approximately late November or early December 1978, I think that Meas Muth went there during that period”]; **D54/23** Pak Sok WRI, A8-9 [“Meas Muth was sent to Kratie because at that time the arrests of cadres surged [...] A9: He went there in late 1978 for a short period of time, approximately two weeks or half a month”]; **D114/169** Seng Soeun WRI, A30 [“Muth was the one who sent those arrestees to Phnom Penh by plane. [...] I want to add for your understanding that Muth sent them by plane. Muth organized that”]; **D114/170** Prum Mon WRI, A36, 38 [wife of Division 117 Secretary Khun Rom: “Lim told me that Ta Muth ordered to arrest my husband [...] A38: My husband, Ta Moeun, Ta Leang were all arrested”].

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D114/297.1.27 Seng Soeun, T. 29 Aug 2016, 13.46.29-13.50.40 [“Pheap was promoted to the secretary of the sector. Pheap came from the navy with Muth”], 13.51.58-13.57.20 [“When we arrived there, we were called to a meeting [...] At the meeting, Meas Muth made the announcement that Pheap (phonetic) was the secretary of the sector”]; **D4.1.810** Seng Soeun WRI, A32 [“Sok Pheap was the committee chief of Sector 505 while I was the chief of sector office”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753837 [“Sok Pheap and Sao Phon became secretary and deputy secretary, respectively”]; **D54/62** Moeng Vet WRI, A24, 26-27 [“I learned that through a regiment of the navy that was under the command of Pheap who came to help my Division 117. At that time, a sweeping clean was being conducted. When Pheap came along with his regiment, he was promoted to Sector 505 Secretary, because at that time Moeun had already been arrested. [...] A26: [...] The regiment of Pheap was a special force of Meas Mut. A27: [Pheap’s naval regiment] probably [arrived in Kratie Province] at the end of November, 1978”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.35.51-09.41.29 [Describing the meeting in Kratie where Meas Muth announced that the old leaders

“were considered traitors” and that “commanders of divisions had to be replaced with the new ones”. Meas Muth told the meeting that Nhan would replace the old divisional commander]; **D54/63** Moeng Vet WRI, A1-3 [Stating that in the meeting, Meas Mut “announced the changing of division leadership” saying, “Nhan will replace Rum in Division 117”]; **D114/52** Cheang Chuo WRI, A35, 40-41 [“Ta Nhan came to take charge of Division 117 [...] A40: Meas Muth came to organise Division 117 and assigned Ta Nhan commander of Division 117 [...] A41: I learned that through the new commander, Ta Nhan. Ta Nhan said, ‘Brother Meas Muth has come to Kratie to reorganise Division 117’”]; **D54/110** Lon Seng WRI, A5-6 [“Nhanh was one of the people who went to Kratie with Meas Muth. [...] A6: [...] Meas Mut brought with him some people like Nhann, commander of the special unit and other commanders he trusted. I knew that these people went to Kratie because during a meeting my commander made an announcement to us regarding names of leaders and where they would go”]; **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507038-39 [“At that time, Uncle Nhan was sent to replace [Rum and Leang] [...] He went there to replace them, taking charge of the division”]; **D114/203** Menh Noeum WRI, A44 [“Did you ever know Nhan after the arrest of Rom? A44: Yes I did. He was also the chief of the division [117]”]; **D114/102** Em Sarin WRI, A25 [positively identifying **D114/18.1**, a photo of Kim Nhan as the Nhan who was in Kratie in 1978]. *See also* **D114/191** Sao So WRI, A46 [Confirming seeing Nhan in Kratie in December 1978]; **D114/18** Mak Chhoeun (Ma Chhoeun) WRI, A16-17 [Former subordinate of Nhan in Kampong Som stating that he stopped reporting to him “shortly before the Vietnamese arrived” “because Ta Nhan was sent away [...] to fight against the Vietnamese at the border”].

266 **D54/60.2** Moeng Vet DC-Cam Statement, EN 00993000 [“Q: Only Meas Mut [was a superior]? A: Yes”]; **D114/169** Seng Soeun WRI, A23 [“Muth was acting in the name of the government, what was then called the government [...] They had Muth [come] to organize both the military and civilian side in Kratie Sector. The Sector Military and the divisions were in the hands of Muth”].

267 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 10.58.45-11.00.50 [“I travelled to somewhere only when the Vietnamese entered the country and Meas Muth ordered me to gather the soldiers”], 13.37.25-14.03.52 [“I received an order from Muth to gather forces who were fleeing from the Cambodian-Vietnamese border area at the time”] *confirmed in* **D114/297.1.28** Seng Soeun, T. 30 Aug 2016, 09.04.50-09.06.50 [“When I arrived in Kratie province [...] my sole task at the time was – with instructions from Meas Muth was to gather forces who fled from the Cambodian-Vietnamese border area, that is, from Snuol”]; **D54/62** Moeng Vet WRI, A26, 30 [“The regiment of Pheap was a special force of Meas Mut. [...] A30: [...] Meas Mut told them, [...] ‘So the more senior soldiers go fight the Yuon. As for the little ones, transport supplies to Stung Treng’”]; **D54/63** Moeng Vet WRI, A10-11 [“The next day I saw Nhan get a telegram stating that Meas Mut had arrived in Phnom Penh [...] A11: Meas Mut worked on the General Staff, so he had the authority to order three branches of the military forces”]. *See also* **D54/60.2** Moeng Vet DC-Cam Statement, EN 00993000 [“He told the superior to fight against Yuon [Vietnamese], including Ta Nhann”].

268 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-13.58.19, 13.59.45-14.00.52 [testifying to hearing Muth in the Sector 505 office reporting to Sou Met]; **D114/169** Seng Soeun WRI, A24 [“Phon, Pheap, and Muth were together and slept together there. Each had their own bodyguard, but they all gathered together there”]; **D54/63** Moeng Vet WRI, A23 [“When Meas Muth went to Kratie, where did he stay? A23: I did not know, but generally he stayed at Kou Loab Village where the regiment of Division 164 was deployed”].

269 **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 10.10.11-10.12.03 [“During all the study sessions that I attended, most of the contents were extracted from the ‘Revolutionary Flag’ magazines, because that magazine was the core document to provide us guidelines and instructions”]; **D98/3.1.129** Kim Vun, T. 22 Aug 2012, 11.39.34-11.41.20 [“As for the ‘Revolutionary Flag’ [...] we received information from the leaders, particularly with the directions from the leaders and that was meant to train cadres in the lower rank”]; **D98/3.1.21** Chhaom Se, T. 8 Apr 2013, 11.54.34-11.57.10 [“there were ongoing training and circulation of the issue of this ‘Revolutionary Flag’ so this ‘Revolutionary Flag’ were material used for training, as well, in order to redirect the direction of the leadership of the Party”]; **D4.1.845** Lonh Dos WRI, A57-59 [“Q: When you attended the educational meeting with Son Sen, what was the substance he spoke about? Did he use the Revolutionary Journal or the Revolutionary Youth Journal in his teaching? A57: The educational meeting was the regular general education. The Revolutionary Flag Journals were generally distributed to the party members and the Communist Youths of Kampuchea. Q: Did you ever receive and read any Revolutionary Flag Journals? A58: At that time they generally distributed them to the Communist Youths of Kampuchea and the party members. Q: How often did they distribute them? A59: They distributed them monthly”]; **D4.1.856** Nam Che WRI, EN

00365650 ["Q: Did all people have to implement what was in the magazines and the Revolutionary Flag? A: Yes, all people had to implement and follow what was in the magazines and the Revolutionary Flag"].

270 **D98/1.2.34** Sao Sarun, T. 11 Jun 2012, 09.48.02-09.52.48, 09.57.19-10.05.54, 10.22.31-10.31.22 *confirming* **D4.1.444** Sao Sarun WRI, EN 00278694, 97; **D4.1.793** Sao Sarun WRI, EN 00403024-26 [witness testified that "representatives of all divisions" attended the September 1978 Congress in Phnom Penh during which the June 1978 CPK Central Committee Directive (D4.1.583) was read and "distributed"].

271 *See, e.g.,* **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478496 ["As for the enemies that are 'CIA', 'KGB', and 'Y[uon]' agents, the cheap running dogs of the enemy that sneakily embedded [...] been smashed [...] smash them even more so they cannot raise their heads. By doing this, we will create the preconditions for us to attack the enemy even stronger during 1978, and in future years and we will achieve additional major victories"], 00478501 ["It is imperative to indoctrinate and whip-up the masses [...] make the enemy be like a rat surrounded by a crowd of people beating and smashing it. [...] It is imperative to purge, to clean up, and to sweep clean the no-good elements and the enemy elements by further strengthening and expanding the good elements that successively emerge from the movements"], 00478502 ["One very important issue that has to be concentrated on is clearly unmasking again and again the 'CIA' and their agents, the 'KGB' and their agents, the territory swallowing 'Y[uon]' and their running dogs...permanently clean"]; **D4.1.653** *Revolutionary Flag*, Jun 1977, EN 00446857-58 ["Whip up and educate the masses [...] and have them clearly see how the internal embedded enemies carry out their activities; have them absorb this so they will become an enemy-seeking and enemy-attacking force"], 00446861-62 ["None of the private regimes were able to rise up [...] continue to sweep them clean even more strongly. 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"]; **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399240 ["The no-good classes holding power in the cooperatives, what is their true nature? They are counter-revolutionary"]; **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486230 ["What remained was just to arouse the peasants to see the contradictions, and to bum with class hatred and take up the struggle. This was the key issue, the fundamental issue which was decisive for victory"], 00486253 ["We do not consider these traitors, these counterrevolutionary elements, to be part of the people. They are enemies of Democratic Kampuchea, of the Kampuchean revolution and of the Kampuchean people"]; **D4.1.865** *Revolutionary Flag*, Oct-Nov 1977, EN 00182549 ["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"]; **D4.1.866** *Revolutionary Flag*, Feb 1978, EN 00464065 ["enemies of every type continue carry out activities in various forms—aggression, espionage, pressure, threat, sabotage, boring holes from within—to harass us and to make our country their defeated subject with the intent to overthrow our revolutionary state authority"]; **D4.1.45** *Revolutionary Youth*, Feb 1978, EN 00278714 ["Our present and future task is to constantly raise high our spirit of revolutionary vigilance in order to defend our national independence [...] which all types of enemies seek the opportunity to break, trample upon, destroy, and make disappear"]; **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185324 ["We have seen more [...] of the noxious nature of internal enemies [...] we must strengthen the class struggle [...] in order to eliminate successively both internal and external enemies, but particularly internal enemies"], 00185342 ["Our duty is therefore is to attack absolutely [...] enemy is being smashed to smithereins, scattered to the winds and liquidated"], 00185343 ["We must see the enemy's face clearly [...] 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"]; **D4.1.869** *Revolutionary Flag*, Jul 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 [...] in each of these places [...] But the concealed enemies who were running-dog agents of the Yuon were the life and death foes who were noxious to the uttermost and of the uttermost danger"], 00428296 ["In order to sweep out the concealed enemy even more absolutely cleanly [...] expanding the purge in the ranks of the Party, the ranks of the masses and in the army"], 00428297, 00428301-02 ["The concealed enemies boring from within were exposed. We were able to maintain and protect the revolutionary forces and expand the revolutionary forces, to purge the bad elements, and continue leading the masses in struggle and to gain further victories"], 00428303 ["Even more particularly, in the great mass movement to attack and smash [...] genocidal Yuon enemy [...] bringing about a strategic victory for the nation, the people, the Party and the revolution"]; **D4.1.870** *Revolutionary Flag*, Aug 1978 ["Any member of the Party who...is clean...has a good future [...] To the contrary, any member of the Party who [...] is not clean [...] lives a life different from the

revolutionary style [...] entangled with the enemy [...] will certainly and without fail will flow counter to the currents of the revolution”].

272 **D54/16/1R** Meas Muth Audio Interview with David Kattenburg, 2009, 03:45-05:45 [Meas Muth confirmed that he attended big meeting attended by Pol Pot, Nuon Chea, Ieng Sary, Son Sen, and Khieu Samphan]; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00183990; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977. *See also* **D54/37** Soem Ny WRI, A30-31 [“Q: Have you ever heard that Meas Mut was a general military staff? A30: Yes, I have. He had to join monthly meetings with military staff in Phnom Penh. Q: How did you know it? A31: I knew it because my chief, Krin also joined such meetings”]; **D4.1.408** Chhouk Rin alias Sok WRI, EN 00268871-72 [“High-level military commanders, including myself, received orders by telegram to travel to the East Zone, and we also received verbal orders in a special military meeting in Phnom Penh attended by military commanders. This meeting was held during about the same time as the Party annual General Assembly. There were separate meetings for the military commanders and the civil side. I attended the meeting for military commanders, with approximately 40 to 50 division and regimental commanders in attendance. Pol Pot talked to us; then Ta Mok spoke on the point of the necessity of ‘the internal purge of the Party’. Nuon Chea spoke of ‘cleansing the Party ranks’. The decision to purge the East Zone was made jointly by the Standing Committee, with Son Sen acting on the orders of Pol Pot and Nuon Chea and Ta Mok, who were all present during the meeting. Among the military commanders present were Meas Muth, Ieng Phan, Sokh Chhean (Phan’s Deputy), Thy Au and Thy Pousse. The meeting to provide instructions on the purge was held at a different site from that of the Party General Assembly which was held at the Olympic Stadium. This meeting to provide instructions was held at the Military Headquarters near Boeng Trabek. That decision may be found in the CPK Flag Magazine, Issue 7, and it was discussed in the annual General Assembly in late 1977. Those who had the right to attend the assembly on the CPK Flag Issue 7 had to be Party members”].

273 *See, e.g.,* **D4.1.1020** Telegram from Mut (Meas Muth) to Respected Brother 89 (Son Sen), 20 Feb 1976; **D1.3.12.3** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976; **D1.3.14.1** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976; **D1.3.4.1** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976; **D1.3.2.2** Telegram 10 from 89 (Son Sen) to Comrade Mut (Meas Muth) and Division 164, 4 Nov 1976; **D1.3.12.18** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978; **D4.1.637** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978; **D1.3.12.2** DK Report from Mut (Meas Muth) to Brother 89 (Son Sen), 6 Feb (year unknown). *See also* **D114/29.1.6** Sao Sarun WRI, EN 00350263 [“Sector military had the right to report only to the Sector Committee. As for the Centre Divisions, they had to report directly to the Centre. [...] A division referred to the army and it belonged to the Centre”]; **D54/54** Meas Voeun WRI, A5 [“Meas Mut reported directly to the General Staff, to Son Sen”]; **D54/110** Lon Seng WRI (Chief of company 8, Battalion 420, Regiment 21), A9 [“Yes. This was not only for Division 164 but for any division belong to the central level. Commanders of those divisions were members of the general staff head quarter. When a division became a division of the central level, the commander of such division would become a member of the general staff committee”]; **D114/65** Chet Bunna WRI, A9 [“Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces”]; **D1.3.13.13** Touch Soeuli OCP Statement, EN 00217575 [“The Naval Headquarters communicated directly with the General Staff Headquarters in Phnom Penh and with the Southwest Zone under Ta Mok”].

274 **D4.1.699** Telegram 11 from Dim to Brother Mut (Meas Muth), 24 Sep 1976 [telegram from the deputy of Meas Muth describing amongst other matters the enemy situation in Kampong Som. Copied to Nuon Chea, Son Sen, Office 870, and Documentation]; **D1.3.34.60** Telegram 00 from Mut (Meas Muth) to M-870, 31 Dec 1977 [describing Meas Muth’s commitment to “sweeping cleanly away without hesitation the enemy’s hidden agents, both the Vietnamese and others” and to fight the territory-swallowing Vietnamese. This telegram was copied to Uncle (Pol Pot), Uncle Nuon (Nuon Chea), Brother Van (Ieng Sary), Brother Von, Brother Khieu (Son Sen), Office and Documentation]; **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978 [report on the arrest and the killing of 120 Vietnamese in the period 27 March 1978 to 30 March 1978. Copied to Nuon Chea, Pol Pot, Brother Van (Ieng Sary) and Documentation]; **D1.3.12.2** DK

Report from Mut (Meas Muth) to Brother 89 (Son Sen), 6 Feb (year unknown) [report describing the attack and capture of Thai fishing boats. Copied to Brother 87 (Vorn Vet), Brother, and Documentation].

D1.3.22.1 CPK Statute, Jan 1976, art. 19, EN 00184044 ["Manage the property of Zone organizations and administer discipline in the Zone framework, maintaining a system of reporting to the Central Committee on the situation and the work of the Zone"].

D54/73 Mut Mao WRI, A3-5 [witness worked as a telephone operator for Meas Muth: "Q: Please try to recall who from the Centre called to speak to the commander of Division 164, Meas Mut. What were their names? A3: I do not remember the names. I just remember the number K-1. Q: How often did K-1 call? A4: Sometimes once per day and sometimes once every two days. At that time, there were calls back and forth between Meas Mut, the commander of Division 164 and the Centre, but I did not know how they made the calls. So I cannot tell you. Q: In general, when K-1 called, did you connect the calls to Meas Mut's house directly, or did you connect them to another place? A5: I connected them to Ta Mut's house directly"].

D1.3.27.26 DK Military Meeting Minutes, 1 Mar 1977, EN 00933835, KH 00052305 ["Comrade Pheap [speaking of enemies]: [...] Inside the unit or organization, one platoon cadre named Heng persuaded combatants to drink alcohol. One company cadre named Chamroeun contradicted the prohibition that doesn't allow the free picking of fruit to eat"]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410 ["Comrade Oeun: [...] In total, we have got 36 no-goods. Their action was to incite the brothers and sisters to drink insecticide, and a whole platoon was poisoned"].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410 [Comrade Pheap: [...] "In the units of organisation there are inferior persons: those who believe in the enemy's tricks, those who are lazy, those who pretend to be ill and those who are discontented with the regime"].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940338, KH 00052403 [Comrade Suong: "Those cadres whose parents had been swept out by us have manifested an authoritarian attitude in relation to the masses"]; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933834, KH 00052305 [Comrade Chhin: [...] "There are still enemies within the unit or organization. We have to follow this up and have been able to grasp a number of them. – After the studies, those who came from Vietnam, the children of soldiers, sub-district chiefs and police were purged and sent to do production in one place"].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940347-48, KH 00052409 ["Comrade Pin [...] The reason for the treason is these men's contradictions about status and rank [...] Some remain: diehards, those who rob and steal, and those making contradictions about status and rank, of whom 80 have been concentrated in one place"]; 00940352 [Son Sen: "These experiences have further heightened our concerns about those elements with no-good biographies, whose ideology is highly status- and rank-oriented"].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940338-39, KH 00052403-04 [Cases of desertion are discussed by Suong, San]; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656381 [Division 170 – Comrade Sok [...] E. Enemy situation: "Within the unit they were people often defecting"].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410 [Comrade Oeun: "There is the phenomenon of those who are concealing their biographies, all the way up to the company cadre level, those who originally were White Khmer or who have lived with the Vietnamese"].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940342-43 [Son Sen explains how Chakrei, "a Khmer Serei link" and his boss Chhouk, the Secretary of Sector 24 were arrested for contacts with Vietnam "to make arrangements to attack our Party's leading apparatus. They would attack from the inside while Vietnam would attack from the outside [...] Chhouk's responses ultimately implicated Ya. We arrested Ya [...] The enemy to the East: The key plan of the enemy of the East, the Vietnamese with the Soviets behind them, was to attack from the inside through the traitorous forces of Ya, Keo Meas, Chhouk and Chakrei"], 00940353 ["The enemy will continue to conduct minor activities in the sea and along the border. As for the trivial enemies within, it is imperative to pay attention to them and to prevent them from conducting activities, so as to defend the Party and the fruits of the Revolution"], 00940354 ["In our status as an army, we must know the subjects that we must attack, namely American imperialism, and the Vietnam revisionists and their traitorous henchmen"].

See **III. 2. Meas Muth's DK Role – Deputy Secretary of the the General Staff**, para. 53.

D54/37 Soem Ny WRI, A30-31 ["Q: Have you ever heard that Meas Mut was a general military staff? A30: Yes, I have. He had to join monthly meetings with military staff in Phnom Penh. Q: How did you know it? A31: I knew it because my chief, Krin also joined such meetings"].

286 **D1.3.27.10** DK Military Meeting Minutes, 2 Aug 1976; **D1.3.27.12** DK Military Meeting Minutes, 18 Aug 1976; **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976; **D1.3.27.16** DK Military Meeting Minutes, 16 Sep 1976; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976; **D1.3.27.19** DK Military Meeting Minutes, 30 Sep 1976; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976; **D1.3.8.7** DK Military Meeting Minutes, 18 Oct 1876; **D1.3.27.21** DK Military Meeting Minutes, 11 Nov 1976; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976; **D1.3.27.23** DK Military Meeting Minutes, 15 Dec 1976; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977.

287 **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 76; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977.

288 **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 76; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977.

289 Internal enemies were not discussed at the following meetings: **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 1976; **D234/2.1.18** DK Military Meeting Minutes, 27 Jun 1976; **D1.3.27.11** DK Military Meeting Minutes, 12 Aug 1976. Internal enemies were discussed at the following meetings: **D1.3.27.8** DK Military Meeting Minutes, 16 May 1976; **D1.3.27.10** DK Military Meeting Minutes, 2 Aug 1976; **D1.3.27.12** DK Military Meeting Minutes, 18 Aug 1976; **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976; **D1.3.27.16** DK Military Meeting Minutes, 16 Sep 1976; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976; **D1.3.27.19** DK Military Meeting Minutes, 30 Sep 1976; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976; **D1.3.8.7** DK Military Meeting Minutes, 18 Oct 1876; **D1.3.27.21** DK Military Meeting Minutes, 11 Nov 1976; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976; **D1.3.27.23** DK Military Meeting Minutes, 15 Dec 1976; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977.

290 **D4.1.655** DK Military Meeting Minutes, 19 Sep 1976, EN 00143159 [Comrade Mut: 1. Enemy situation: "In Kang Keng there is also a thief which mainly committed by soldiers"].

291 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933835, KH 00052305 [Comrade Maut: "A number of the cadres and combatants guarding the depots used to be with the traitors as their bodyguards for long. One platoon of depot units of organization has been purged, but they are not yet all gone or reliable"]. Son Sen responded to Meas Muth: EN 00933844, KH 00052311 ["4. As for depots, it is imperative to be vigilant against those mixed up with traitorous elements, and they must be removed. Purge the insiders make them clean"].

292 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933841.

293 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977.

294 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00183987 ["It is imperative to purge absolutely no-good elements, but don't be left or right"].

295 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940340-45. See S-21 confessions: **D4.1.22**, **D4.1.651** S-21 Confession of Chan Chakrey alias Nov Mean, 1 Jun 1976, EN 00183019-85 (Excerpts) [arrested on 19 May 1976]; **D4.1.943** S-21 Confession of Suos Neou alias Chhouk alias Men alias VIII, EN [arrested on 31 Aug 1976]; **D10.1.120** S-21 Confession of Men San alias Ney Saran alias Achar Sieng alias Ya, EN 00769572-78 [arrested on 20 Sep 1976].

296 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940344.

297 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940346, 00940348-50.

298 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940351.

299 See para. 172.

300 See **VIII.D. S-21 Security Centre**.

301 See **VIII.A. Purges Within Division 164**.

302 **D114/181** Sem Kol WRI, A40-41 ["Q: Was that the only time you were asked to have your autobiography recorded? A40: Yes, only that once. When I became a teacher, my autobiography was recorded frequently, twice a year. During that era, we had to conceal information. For instance, someone with high education would record that they studied only until Grade 7. If a person was a middle-class peasant, they would record that they were a lower-class peasant. The regime was carrying out a revolution, eradicating the capitalist class, the bourgeoisie, and the feudalists. We had to conceal information because they wanted to abolish the upper layers. The revolution aimed at abolishing the feudalist regime and the Capitalists. Q: What did 'abolish' mean? A41: 'Abolish' meant to wipe them out in order to establish level class, so that there was no rich and no poor. I do not know. For example, if we talk about those with tendencies, those who were fairly

rich, I never met any. My parents were also evacuated from their house during the regime, but I did not know who carried that out. I was at Kamsei and was evacuated to Khvav Taset”].

303 **D54/7** Dol Song WRI, A16-17 [“As far as I know, as a commander of a marine division, Meas Mut was responsible for dealing with issues related to water borders. He was also responsible for screening the biographies of the marines and deciding whether to arrest or anyone who had committed mistakes. Q: How did you know that the division commanders were in charge of screening biographies of the soldiers? A17: I did not see all about this. This is just my assumption. I think it was the responsibility of the division commanders. Regarding the screening, if they found out that a soldier had siblings/relatives who had worked for the previous regime, that soldier would be removed and sent to a different place. He would be sent to a different unit to work at rice fields or farms. At that time, anyone who committed mistakes would be arrested; there was no court to rule whether the person was innocent or guilty. As for screening in my own case, investigators were sent to my village to verify if my biography was correct and whether or not I had siblings or relatives who had worked in the previous regime”]; **D54/8** Dol Song WRI, A2-3 [“Q: [...] you told us that the responsibility of division commanders such as Meas Mut was to screen out, arrest, and kill the wrongdoers. Please explain who those wrongdoers were. A2: The wrongdoers referred to those soldiers in the division who had committed mistakes. [...] Q: What kinds of mistakes would account for them being arrested and killed in Division 164? A3: I am not sure what kinds of mistakes would reach the threshold for arrest and killing. However, I can suggest examples for those mistakes. Any soldier whose siblings at their base (hometown) had been arrested and accused of being traitors would also be arrested from within their unit. For instance, if the regimental chairman was arrested, his wife and family would also be arrested. However, I did not know what they did to those arrestees afterwards. In general, at that time, once arrested, the person would disappear forever. If a soldier was removed from his unit, he might be sent to work at another place. If a soldier was arrested, he would disappear. As I previously mentioned, if a regimental commander was arrested and accused of being a traitor, or a KGB or CIA agent, his wife, children, messenger and close acquaintances would also be arrested. In particular this applied to people accused of having connections with the Vietnamese”].

304 **D54/44** Lon Seng WRI, A26-28 [“Q: Was the announcement about the East Zone made in the permanent meeting or in any special meeting? A26: The announcement was made in a special meeting where only certain battalion and regiment leaders were selected to attend. The announcement about the East Zone soldiers was not made publicly. I remember that those East Zone soldiers were not informed because they were regarded as enemies. They only mentioned that those soldiers would be sent to get training in order to see whether or not they could be reformed. For those soldiers who could be reformed, they would then be sent back to their original units. For those who could not be reformed, they would be kept for further training. During the training period, the history and biography of each soldier was investigated. They even went to the soldiers' hometowns to obtain information. Q: Who made the announcement in that training meeting? A27: The chief of division, Meas Mut. Q: Was the phrase "to investigate at their (soldiers') hometowns" your own words, or was it said by Meas Mut? A28: The chief of the division Meas Mut advised the regiment commanders to obtain information on historical backgrounds of the East Zone soldiers from their hometowns, in order to find out whether or not those soldiers had good backgrounds”].

305 See **VIII.A. Purges Within Division 164.**

306 **D54/17** Say Born WRI, A11-12 [“Q: Did Meas Mut talk about traitors in each session? A11: Yes. He said that we had to be on the lookout for enemy activities within our ranks. Q: What did that mean? A12: Meaning this was Meas Mut's guidance to the students: to watch for and report any such activities to upper echelon”].

307 **D114/284** Ek Ny (Ni) WRI, A5-7 [“Q: We want you to explain the terms purge or destroy. What do those words mean in normal language? A5: Those who were related to this were Khmer, the soldiers. When they used the term ‘purge’ in the army, they referred to the Yuon network. However, we did not care with which network they were affiliated. We simply purged them from the inside, from within the army. Q: Are the words you read in the telegram the same as those you were taught in the meetings? A6: Yes, they are. Everything is the same. Q: Even though it is long ago, we want to know if you remember being in a meeting in which Ta Muth talked about traitors. At that time, did they use the same words as are used in this document? A7: Yes, they did. Everything is the same”].

308 **D114/58** Sam Saom WRI, A23, 25-27 [“Q: When you said Meas Muth attended the study sessions once in a while, what do you mean? A23: When I attended a study session, Meas Muth opened and closed it, and he also came to speak at the study session. I do not know about other study sessions I had not joined [...] A25: There were about 50 or 60 people for each session. They participants were both civilians and soldiers from

various units under Division 164. Q: In the study session that Meas Muth attended did he or other speakers talk about the situation of the enemies including the internal and external enemies? A26: Yes, they did. But I do not remember. I did not understand those matters. They talked about KGB, the Vietnamese spies and so on. Q: Did they give instructions on how to deal with those enemies, especially the internal ones? A27: They spoke about watching enemies' activities at cooperatives"].

309 **D98/1.2.1** Kaing Guev Eav alias Duch, T. 18 May 2009, 10.30.11-10.33.01 ["At first, low-ranking combatants only came to S-21 if arrested in Phnom Penh. Agree. As a general rule, high-ranking enemies inside the Party, state, military, or security apparatuses were sent to S-21 having been implicated with a process which consisted of obtaining confessions from others previously arrested"]; **D1.3.33.9** Kaing Guek Eav alias Duch WRI, EN 00178060-61 ["Initially, S-21 was just for important prisoners, or those from Phnom Penh, as well as members of the Central Committee. At first, low ranking combatants only came to S21 if arrested in Phnom Penh. Yet subsequently, when the repression intensified, S-21 also received people from the countryside"].

310 *See VIII.C. Division 164 Security Centres; VIII.F. Ream Area Worksites; VIII.E. Stung Hav Worksites.*

311 **D98/1.2.6** Kaing Guek Eav alias Duch, T. 27 May 2009, 09.33.54 ["the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would -- selected some of the names from those from Division 502"], 09.57.12-10.00.15, 10.34.00; **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880 ["Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head"]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680799 ["before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions"]; **D4.1.860** Kaing Guek Eav alias Duch WRI, EN 00403918 ["In practice, when a person was implicated in a confession, the superiors informed the head of the unit"]; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932 ["The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons"].

312 **D98/1.2.6** Kaing Guek Eav alias Duch, T. 27 May 2009, 09.33.54 ["the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would -- selected some of the names from those from Division 502"], 09.57.12-10.00.15, 10.34.00; **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880 ["Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head"]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680799 ["before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions"]; **D4.1.860** Kaing Guek Eav alias Duch WRI, EN 00403918-19 ["In practice, when a person was implicated in a confession, the superiors informed the head of the unit"]; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932 ["The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons"].

313 **D54/8** Dol Song WRI, A5-9 ["Q: When were those commanders arrested? A5: [The commanders] were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings. Q: Who arranged these meetings about the arrests? A6: The information about the arrests was sent from the divisions to the platoons. Q: Did you know if Meas Mut was in charge of announcing the information? A7: Yes, I did. He was the division commander; therefore, he alone would be the person to pass the announcement to the lower levels. Q: How did you know about this? A8: He was the only person who could make the announcement because he was the division commander. However, the announcements of arrests were made only for the arrests of chairmen who were traitors, not for general arrests. Q: Did you ever, in person, listen to Meas Muth announce arrests? A9: No, I did not. But I received the information from the chairman of my battalion"].

314 **D54/104** Ek Ny (Ni) WRI, A10 ["No, I did not know. During that time, I saw trucks which were fully covered, transporting prisoners to the east towards Phnom Penh at 3 p.m. every day. One day before my unit was disarmed and after Doem disappeared, I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Cheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions o traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested. In 1979, I just realized that S-21 and Boeng Cheung Ek were a prison and an execution site"].

- 315 **D54/102** Ek Ny WRI, A1-2 [“After that, Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men's names starting with the word 'A (the contemptible)' because 'A' was the derogatory word for use on the traitors. -Ta Ya and Ta Thuch were cadres at the Zone level, but I did not know which Zone they were from. Ta Nhek was the secretary of Sector 37. Chhan was the military commander of Division 164. Yan was the commander of a regiment unit of Sector 37. Dim came from the East Zone. He was Ta Mut's deputy. In Division 164, Meas Mut was number 1, Chhan was number 2, and Dim was number 3. Q: How can you still recall the names of these men very clearly even this event happened a long time ago? A2: Because these names were announced by Meas Muth in the meeting. And because I knew these persons well, I still remember their names although this event took place many years ago. Also, I can remember these names well because when they counted these names, it produced a rhyme like a poem. That is why it easy for me to remember these men's names”]; **D54/104** Ek Ny WRI, A3-5 [“As far as I can recollect, Vet was the Battalion 631 Chairman, but I was in Battalion 623 during that time. Vet was in the army, stationed in Kang Keng Airport, but he was arrested. I did not know if Vet is alive or dead, but I believe that he is dead because Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous. Q: Could you share with us your knowledge and information about Men Nget at Number 161? A4: Men Nget was a member of Division 164. He was arrested. I do not know if he is alive or dead. In 1990-1991, I met Men Nhet's son called Meang when the Khmer Rouge soldiers defected to the government. Meang told me that he went to live with his elder sister in Kampong Som, but I do not know his sister's name. I lost contact with Meang since UNTACT era in 1993. Q: Could you share with us your knowledge and information about Mom Choemalias Yan at Number 179? A5: Yan was a member of Division 164. Yan was from the Southwest Zone in charge of three battalions: Battalion 170, Battalion 180 and Battalion 132. These three battalions were under a regiment, but I do not know the name of that regiment. Ta Sros was the Commissioner of that regiment, and Yan was the Commander. Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoe, Chhan, Yan and Doem were traitors.’ Doem was from the East Zone”].
- 316 **D114/85** Chet Bunna WRI, A18-21, 23, 32-34 [“Q: We would like to show you the document from Office S-21 bearing the name of Kung Kean alias Ing Vet document D1.3.18.4, with Khmer EN 00017305. He was the Secretary of Battalion 163, Regiment 63 and Division 164. A18: I also knew him because he taught us and talked with us. Everyone was aware of his arrest, because he was a prominent figure. At that time, he lived at Kang Keng Airport. Q: How was his arrest carried out? A19: We did not know how he was arrested. We just knew that he was arrested about a month after Dim and Chhan had been arrested. They had to arrest all of the people who were under Dim's and Chhan's command, and this arrest was also made public. Q: Did Meas Muth announce this arrest publicly? A20: Yes, he did. Q: Can you describe any more about this announcement? A21: I remember that the announcement was made on the Victory Commemoration Day of the 17 April, and was made in front of Division 164. The announcement was given at the far end of Au Chheour Teal Beach, where the Headquarters of the Navy was located. Q: Can you tell us anything else about that announcement? [...] A23: On that day, Meas Muth was the sole person who spoke before about 1,000 soldiers from Naval Division 164 and the relevant offices in the Division, such as the medical, transportation and logistics units. I saw Ta Seng and Ta Sam sitting on either side of Meas Muth as well. Amongst other matters, Meas Muth also announced that Chhan and Dim had been arrested for traitorous activities. [...] Q: You have just mentioned the accusations against your military friends. Do you remember if there was an announcement about such accusation during the meeting on the Victory Commemoration Day? During the Khmer Rouge regime, were those accusations addressed by a court of law? A32: They did not talk about the judiciary system, judges or official charges from any judiciary system regarding the prisoners. They just said that Angkar had to small the traitors. Q: Who said this? A33: Meas Muth said this. Q: Although it was a long time ago, can you try to recall the accusations, the ones that they mentioned in that announcement? A34: Meas Muth said that Dim and Chhan had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”].
- 317 **D114/31** Moul Chhin WRI, A91, 127-128 [speaks about Yean, Rem and Suor as the commanders as those who were taken away and killed under the pretext that they were being taken to study]; **D54/101** Ek Ny (Ni) WRI, A9 [“It was Rem, who was the political commissar of Battalion 386, who was shot dead in front of Wat En Ta Nhean Pagoda”]; **D114/40** Moul Chhin WRI, A74 [“Yean was Battalion 386 commander”]; **D114/244**

In Yoeu WRI, A12-13, 16 ["Before the fall of Phnom Penh, I was in the Sector 37 working as a physician in Battalion 386. Q: What was the name of your battalion commander at that time? A13: The commander of Battalion 386 was Yean [...] A16: The deputy commander was Rem"]; **D54/12** Pres Mean WRI, A16 ["it was that Yeun. He used to be the deputy commander of Battalion 386 while Rem was the commander"]; **D114/194** Sorn Sot WRI, A15, 17-18 ["Q: Do you know Rem, who was a political commissioner for Battalion 386? A15: Yes, I do. I remember Rem and Suon Chhan [...] They were in charge of Battalion 386 and the sector military as a whole [...] A17: Our group was accused being the traitors. The entire Sector 37 military was accused of being the traitors. It was Ta Muth's group that made the arrests. Q: Do you still remember Rem's arrest? A18: Yes, I do. He was not the only person who got arrested. Everyone in senior positions, from commanders down to group chiefs was also arrested"]; **D54/77** Uy Nhik WRI, A3 ["I have forgotten the name of the [Battalion 386] commander, but I can recall the name of the deputy commander, Yean, when this battalion evacuated people out of Kampong Som"]; **D114/155** Sok Ren WRI, A62 ["I have lost contact with a few other people whom I knew such as Bang Rem, a commander of a navy regiment who was attached to Sector 37 [...] Bang Yeun was arrested and killed. Ek Ny knows about the arrest [...] Yean and Trea were killed. Yeun was in charge of a battalion. I am not sure if all of them were arrested and reeducated at Stueng Hav, I just know that they were arrested and then disappeared. I don't know whether or not they were taken to be killed. They just disappeared and we never saw them again"]; **D114/105** Koch Tuy WRI, A18 ["Ta Yeun was the Battalion Commander. Ta Yean was his Deputy. Both of them are deceased. They were called to attend the study sessions in Kampong Som Province"]; **D114/146** Uy Nhik (Nhock) WRI, A49 ["One of my elder brothers, Yean, who was a battalion deputy commander, was sent to help soldiers' families with the harvesting work near Kang Keng, and he disappeared at that time"].

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D54/102 Ek Ny (Ni) WRI, A1 ["in late 1976 toward the beginning of 1977 [...] they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim"]; **D54/104** Ek Ny (Ni) WRI, A3, 5, 9-10 ["Vet was in the army, stationed in Kang Keng Airport, but he was arrested [...] I believe that he is dead because Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous [...] A5: Yan was among traitors whose names were made a rhyme by Ta Mut, 'Nhock, Chhan, Yan and Doem were traitors' [...] A9: I think the name Doem in this document is Doem whom I have mentioned earlier regarding the rhyme, Contemptible Nhock, Contemptible Chhan, Contemptible Yan and Contemptible Doem [...] A10: I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested"]; **D114/89** Seng Sin WRI, A56, 58-60, 63 ["We [disarmed Battalion 386 and East Zone soldiers] stopped at Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A58: [during the meeting] there were both guards and soldiers [...] Q: Were they armed? A59: Yes, they were [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting [...] A63: I only remember when he talked about the traitors' confessions. He talked about Norng Chhan and my two superiors [...] Meas Muth just claimed that they were traitors"].

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D114/85 Chet Bunna WRI, A10, 21, 23-24, 26 ["in late 1976 or early 1977, Meas Muth declared that Chey Chhan, who was the son of Chey Suon or Norng Suon [...] was a traitor who worked for the Vietnamese. It was announced that Dim was accused being a traitor and arrested at the same time [...] A21: the announcement was made on the Victory Commemoration Day of the 17 April, and was made in front of Division 164. The announcement was given at the far end of Au Chheour Teal Beach, where the Headquarters of the Navy was located [...] A23: On that day, Meas Muth was the sole person who spoke before about 1,000 soldiers from Naval Division 164 and the relevant offices in the Division, such as the medical, transportation and logistics units [...] Amongst other matters, Meas Muth also announced that Chhan and Dim had been arrested for traitorous activities. To the best of my recollection, Chhan was arrested before Dim was. Only the arrests of Chhan and Dim were announced in public. The arrests of the low-level cadres who were under Chhan's and Dim's commands were not made public [...] A24: The meeting was held

in the morning of 17 April [...] A26: only Chhan's and Dim's arrests were announced. I did not know how long they had been under arrest for before the meeting”].

320 **D114/85** Chet Bunna WRI, A34 [“Meas Muth said that Dim and Chhan had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”]; **D114/104** Iem Phong WRI, A50 [“Ta Chhan and Ta Dim were the deputy commanders. Ta Chhan and Dim were killed on charges of treason, and in fact they did have plans to rebel”]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Dim disappeared in 1977 when there was the internal conflict”].

321 **D54/12** Pres Mean WRI, A30 [“Q: During that meeting [at Stung Hav in mid-1977] did Ta Mut mention the names of any of the traitors? A30: Yes, he announced that Ta Nhoek, the Sector 37 Secretary, Ta Pon on the Sector 37 Committee, and Ta Chhan, also on the Sector 37 Committee (were traitors)”]; **D54/13** Pres Mean WRI, A2, 4-5 [“Ta Mut said that Nhoek, Pon, and Chhan, who were on the Committee of Sector 37, counter-revolutionaries. He mentioned a lot of names [...] A4: It was not a routine meeting. In 1977 the situation was in turmoil. The Communist Party of Kampuchea was supported by China; the Workers Party was supported by Vietnam; and the American CIA and the KGB were in amongst the people. So they had to screen out all of those people. Q: Is this your own idea, or did someone tell you this? A5: Ta Mut announced it in the meeting”]. See also **D114/95** Yoem Sroeung WRI, A64 [“They were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA”].

322 **D54/44** Lon Seng WRI, A19, 22-24, 26-28 [“Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Muth, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division. I am not sure, but I believe there must have been some competition among the division leaders. That was the reason those soldiers could not be put in the same division [...] A22: Yes, I also attended that meeting [...] A23: At the Division Headquarters in Kampong Som [...] A24: It was located near Leu Market where Ta Mut lived. The meeting was held at a former cinema [...] Q: Was the announcement about the East Zone made in the permanent meeting or in any special meeting? A26: The announcement was made in a special meeting where only certain battalion and regiment leaders were selected to attend. The announcement about the East Zone soldiers was not made publicly. I remember that those East Zone soldiers were not informed because they were regarded as enemies. They only mentioned that those soldiers would be sent to get training in order to see whether or not they could be reformed. For those soldiers who could be reformed, they would then be sent back to their original units. For those who could not be reformed, they would be kept for further training. During the training period, the history and biography of each soldier was investigated. They even went to the soldiers' hometowns to obtain information. Q: Who made the announcement in that training meeting? A27: The chief of division, Meas Mut. Q: Was the phrase ‘to investigate at their (soldiers') hometowns’ your own words, or was it said by Meas Mut? A28: The chief of the division Meas Mut advised the regiment commanders to obtain information on historical backgrounds of the East Zone soldiers from their hometowns, in order to find out whether or not those soldiers had good backgrounds”]; **D114/85** Chet Bunna WRI, A18-20 [about the arrest of Kung Kien alias Oeng Vet: “I also knew him because he taught us and talked with us. Everyone was aware of his arrest, because he was a prominent figure. At that time, he lived at Kang Keng Airport [...] A19: he was arrested about a month after Dim and Chhan had been arrested. They had to arrest all of the people who were under Dim's and Chhan's command, and this arrest was also made public. Q: Did Meas Muth announce this arrest publicly? A20: Yes they did”].

323 **D54/105** Ek Ny (Ni) WRI, A7-8 [“The content is accurate. This document is apolitical education document used to educate us in the military. They said about good things such as improving livelihood of the people and paying attention to the people's hygiene. However, actually what they said was dangerous. For example, in this document Meas Muth said that we had to constantly keep track of enemies hiding in our ranks. His words made me recall what he said in the meeting with us which he almost made us frightened to death. At present, when [...] someone does something wrong, that person is just sent to Prey Sar, but during Khmer Rouge era, if we did something wrong, we would be arrested; it means death. Q: When you compared the information, wording and language in Meas Muth's speech in October 1976, with a speech he gave to Battalion 86 (386) soldiers in early 1977 during the disarmament, what is your comment? A8: I think the content is exactly the same. It means that we, soldiers, or people were constantly kept under surveillance. Meas Muth's speech in this document was made before the disarmament of my unit in 1977”].

324 **D1.3.34.10** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976.

325 **D1.3.12.7** DK Military Report, *Summary of Situations from 15 July to 31 August 1976*, 31 Aug 1976, EN 00233963.

326 **D1.3.34.11** Telegram 11 from Deum (Dim) to Mut (Meas Muth), 24 Sep 1976 (*emphasis added*).

327 **D1.3.2.2** Telegram from Brother 89 (Son Sen) to Mut (Meas Muth), 4 Nov 1976.

328 See **Annex D.1**. See also **VIII.D. S-21 Security Centre**, paras 541, 542.

329 See **IV. Division 164 (Former Division 3) Authority Structure**.

330 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14156 [Chey Han entered S-21 in November 1976]. See also **D54/104** Ek Ny WRI, A10 ["I saw trucks which were fully covered, transporting prisoners to the east towards Phnom Penh at 3 p.m. every day. One day before my unit was disarmed and after Doem disappeared, I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested. In 1979, I just realized that S-21 and Boeng Cheung Ek were a prison and an execution site"]; **D114/282** Ek Ny WRI, A11 ["Brother Chhan was directly below Ta Muth. Ta Muth arrested and took him to be killed at Boeng Cheung Ek Phnom Penh"]; **D114/226** Kim Hav WRI, A82-84 ["[Chhan] died in 1977 [...] A83: He died when Pol Pot called him to be re-educated. He was taken to be killed. He was told to go to study, and he disappeared. Q: Who came to call him to go to be re-educated? A84: The zone group [...] A85: At that time, when we heard that one person was called to go to be re-educated, it meant that the person would be taken to be killed"]; **D114/113** Koen Men WRI, A126, 258 ["In 1977 [...] Brother Dim returned to the General Staff in Phnom Penh, and Chhan also returned to Phnom Penh. Chhan was originally from Sector 37, but was then transferred to the General Staff in Phnom Penh [...] A258: They might have lied to me when they said that Ta Chhan was taken to work at the General Staff in Phnom Penh"]; **D114/130** Iem Phong WRI, A28 ["Since [Chhan] did not have enough forces, he prepared his ship to go to Koh Rong Island. While he was en route at sea, they captured him and sent him to Tuol Sleng Prison"]; See also **D54/10** Meu Ret WRI, A7-8 ["Ta Chhan became a deputy commander of the division. Q: Do you know what happened to Chhan in 1976? A8: I heard that Ta Chhan had become a traitor and was removed; he then disappeared"]; **D69.2.20** BBC SWB, *Far Eastern Relations*, 14 Oct 1978, EN S 00013194, KH S 00810138, FR S 00793509 [Hun Sen, speaking of internal purges and elimination of CPK members: "After them were Chhan, commander of the 164th division stationed in Kampong Som, and Dum, political commissar of the division"].

331 **D114/194** Sorn Sot WRI, A15, 17-18 ["Q: Do you know Rem, who was a political commissioner for Battalion 386? A15: Yes, I do. I remember Rem and Suon Chhan [...] They were in charge of Battalion 386 and the sector military as a whole [...] A17: Our group was accused being the traitors. The entire Sector 37 military was accused of being the traitors. It was Ta Muth's group that made the arrests. Q: Do you still remember Rem's arrest? A18: Yes, I do. He was not the only person who got arrested. Everyone in senior positions, from commanders down to group chiefs was also arrested"]; **D54/101** Ek Ny (Ni) WRI, A9 ["It was Rem, who was the political commissar of Battalion 386, who was shot dead in front of Wat En Ta Nhean Pagoda"]; **D114/244** In Yoeu WRI, A12-13, 16 ["Before the fall of Phnom Penh, I was in the Sector 37 working as a physician in Battalion 386. Q: What was the name of your battalion commander at that time? A13: The commander of Battalion 386 was Yean [...] A16: The deputy commander was Rem"]; **D114/40** Moul Chhin WRI, A74 ["Yean was Battalion 386 commander"]; **D54/12** Pres Mean WRI, A16 ["it was that Yeun. He used to be the deputy commander of Battalion 386 while Rem was the commander"]; **D54/77** Uy Nhik WRI, A3 ["I have forgotten the name of the [Battalion 386] commander, but I can recall the name of the deputy commander, Yean, when this battalion evacuated people out of Kampong Som"]; **D114/31** Moul Chhin WRI, A91, 127-128 [speaking about Yean, Rem and Suor as the commanders as those who were taken away and killed under the pretext that they were being taken to study]; **D114/155** Sok Ren WRI, A62 ["I have lost contact with a few other people whom I knew such as Bang Rem, a commander of a navy regiment who was attached to Sector 37 [...] Bang Yeun was arrested and killed. Ek Ny knows about the arrest [...] Yean and Trea were killed. Yeun was in charge of a battalion. I am not sure if all of them were arrested and reeducated at Stueng Hav, I just know that they were arrested and then disappeared. I don't know whether or not they were taken to be killed. They just disappeared and we never saw them again"]; **D114/105** Koch Tuy WRI, A18 ["Ta Yeun was the Battalion Commander. Ta Yean was his Deputy. Both of them are deceased. They were called to attend the study sessions in Kampong Som Province"]; **D54/25** Pak Sok WRI, A21 ["Ta Yeun alias Yoeun, the commander of my battalion, Battalion 622"]; **D114/116** Uy Nhik (Nhok) WRI, A49 ["One of my elder brothers, Yean, who was abattalion deputy commander, was sent to help soldiers' families with the harvesting work near Kang Keng, and he disappeared at that time"].

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D114/105 Koch Tuy WRI, A18 ["I was in Battalion 86. Ta Yeun was the Battalion Commander. Ta Yean was his Deputy. Both of them are deceased. They were called to attend the study sessions in Kampong Som Province"]; **D114/194** Sorn Sot WRI, A5, 17-19 ["The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector [37] were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. Anyone who refused to follow the order was killed. In general, Ta Muth was the person who issued the orders [...] A17: Our group was accused being the traitors. The entire Sector 37 military was accused of being the traitors. It was Ta Muth's group that made the arrests [...] A18: Everyone in senior positions, from commanders down to group chiefs was also arrested [...] A19: That happened from late 1976"]; **D54/102** Ek Ny WRI, A14 ["The Special Unit was like the bodyguard unit. It was the unit trusted by the leader. They used soldiers in this Unit to arrest the traitors and to do other important works. When they wanted to arrest those at the battalion and regiment levels, they sent the soldiers of the Special Unit to the battalion and regiment bases to tell them that brother [commander] of Division called them to attend a meeting"]; **D54/103** Ek Ny WRI, A7-8, 21-22 ["Ta Muth came to attend a meeting after we were disarmed. During that time, he announced in the meeting that Chhan was a traitor, and former soldiers of [Unit] 86 (386) did not deserve trust. After the arrest of Chhan, the leadership including the political commissar and the commanders of the battalions, companies and platoons were also arrested [...] A8: During that time, there were approximately 500 participants including about 100 former soldiers of Unit 86 (386) who had been disarmed. During that Ta Muth said in the meeting that everyone had to keep the former soldiers of Unit 86 under surveillance. He said that former soldiers were all in KGB and CIA networks. He said KGB and CIA networks had not been completely destroyed. They were hiding within our ranks, so we had to keep them under constant surveillance. Among more than 500 soldiers attending the meeting, they were all their soldiers, except the former Unit 368 soldiers. They came to keep us under surveillance [...] Q: To your estimation, how many former Unit 386 soldiers went missing between 1975 and 1979? A21: During that time, there were more than 200 soldiers in Battalion 386. More than 50 per cent of the soldiers in the battalion, equating to more 100 soldiers, were arrested and disappeared [...] Q: Were there any soldiers with no-good elements and former Unit 386 soldiers who had been refashioned, sent back to their respective units before 1979? A22: To my knowledge, there were not any"]; **D54/76** Uy Nhik (Nhok) WRI, A16 ["Q: Why did they change the commander of your company [...] ? A16: At that time, they accused former soldiers of the Sector 37 and East Zone persons of having no-good tendencies. Even persons who had been sent for training in China were called back"]; **D114/31** Moul Chhin WRI, A16, 19, 91, 127-128 ["Chhan was the commander [...] Later Chhan was taken to be killed [...] A19: If I had had any status or position, such as company chairman, I surely would have been killed, since company commanders and above were taken away and killed under the pretext that they were being taken to study [...] A91: Every time battalion/regiment commanders were called away to study at the cinema in Kampong Som, they disappeared and we never saw them return [...] a]fter months passed, they still did not return [...] Q: You stated that the battalion/regiment commanders disappeared. Can you provide their names? A127: Yean, Rem and Suor [...] A128: Chhan disappeared too. Generally speaking, all the commanders disappeared. Only ordinary soldiers survived"]; **D114/85** Chet Bunna WRI, A23 ["Only the arrests of Chhan and Dim were announced in public. The arrests of the low-level cadres who were under Chhan's and Dim's commands were not made public. We happened to know of the arrests of their subordinates through rumours"]; **D54/12** Pres Mean WRI, A30 ["Q: During that meeting did Ta Mut mention the names of any of the traitors? A30: Yes, he announced that Ta Nhok the Sector 37 Secretary, Ta Pon on the Sector 37 Committee, and Ta Chhan, also on the Sector 37 Committee (were traitors)"]; **D114/33** Hen Ang WRI, A32 ["After they accused the leaders of Sector 37 of being traitors, those who came from the Centre replaced them. And the former members of Sector 37 were demobilised and assigned to work"]; **D114/226** Kim Hav WRI, A91-93 ["Q: Who else were taken to study? A91: Bang Suo, Bang Hen, Bang Set, Bang Horn, Bang Phal who were all chairpersons of regiments. Those who were taken to be reeducated were the big chiefs. They were regiment chief, one hundred member unit chiefs, and so on. Some of them were regiment chairpersons, deputy chairpersons, and secretaries. Q: Who was called to go to be re-educated first? A92: Om Chhan [...] A93: It was in early 1977. Maybe it was in February or March when arrests started. The zone soldiers came to arrest them. I did not know which zone"]; **D114/135** Nob Phan (Nub Phorn) WRI, A3-5 [Former Battalion 386, Company 420 member posted on Koh Tang explaining that in late 1976 his commanders were all sent to study and disappeared].

- 333 **D54/102** Ek Ny (Ni) WRI, A1 ["in late 1976 toward the beginning of 1977 [...] they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim"].
- 334 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 0093383 ["One platoon of depot units of organization has been purged, but they are not yet all gone or reliable"].
- 335 **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 1624 as Hoeng Doeun entered S-21 on 21 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164 [identifying No. 11 as Hoeng Doeun alias Dim, executed 8 December 1977]; **D1.3.28.40** List of Prisoners, *List of prisoners who were smashed and photographed on 8.12.77*, EN 00873281, KH 00009146 [identifying No. 2 as Hing Doeun].
- 336 **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 4797 as Mom Chim who entered S-21 28 April 1977, executed 13 March 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164 [identifying No. 24 (and No. 27 – duplicate) as Mom Van].
- 337 **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 5342 as Men Nget who entered S-21 2 June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164 [identifying No. 26 as Men Nget].
- 338 *See para. 108.*
- 339 **D54/103** Ek Ny (Ni) WRI, A7-10, 21 ["all the soldiers in my unit were disarmed at the beginning of the rainy season in 1977. During that time, Ta Muth came to attend a meeting after we were disarmed. During that time, he announced in the meeting that Chhan was a traitor, and former soldiers of [Unit] 86 (386) did not deserve trust. After the arrest of Chhan, the leadership including the political commissar and the commanders of the battalions, companies and platoons were also arrested. I did not know for sure when those women were arrested, but I saw them at Tuek Sap. Q: When Meas Muth said that Unit 86 (386) did not deserve trust, did Meas Muth said what he would do to them in the future? A8: During that time, there were approximately 500 participants including about 100 former soldiers of Unit 86 (386) who had been disarmed. During that Ta Muth said in the meeting that everyone had to keep the former soldiers of Unit 86 under surveillance. He said that former soldiers were all in KGB and CIA networks. He said KGB and CIA networks had not been completely destroyed. They were hiding within our ranks, so we had to keep them under constant surveillance. Among more than 500 soldiers attending the meeting, they were all their soldiers, except the former Unit 368 soldiers. They came to keep us under surveillance. Q: Do you recall the atmosphere of the meeting? How did Meas Muth make the announcement? How did the former Unit 86 (386) soldiers and other soldiers feel? A9: The former Unit 386 soldiers were very frightened and shocked after hearing the announcement. We could not sleep at night and lived in constant fear. As for other soldiers, they changed their attitude towards us. Even though they knew us, they no longer spoke to us or looked at us at our face. Sometimes they scornfully said that we were traitors. Sometimes I saw their writing on the wall with a charcoal, reading 'the former Unit 386 soldiers were all traitors'. Q: During the meeting when Meas Muth made the announcement, had the former political commissars and the former commanders of the battalions, companies and platoons of Unit 86 (386), already been arrested? Were they arrested before or after that meeting? A10: Roughly 70 per cent of the leadership were arrested before the meeting, and the rest had to attend the meeting, and they were later arrested as well. [...] A21: During that time, there were more than 200 soldiers in Battalion 386. More than 50 per cent of the soldiers in the battalion, equating to more 100 soldiers, were arrested and disappeared"].
- 340 **D114/297.1.20** Pak Sok T. 16 Dec 2015, 14.23.54-14.26.15 ["Ta Doem [...] later had been arrested and disappeared. After his arrest, other arrests were made one after another, against his soldiers who were from the east. No one left. Later on, his troops disappeared, and I had no idea at that time where the soldiers of Ta Doem were sent to [...] first Ta Doem was arrested. Later on, soldiers within his regiment were also arrested. Because Ta Doem had been arrested, perhaps there was something in Ta Doem's confession, but I did not know what was in his confession. The confession of Ta Doem implicated the soldiers of the regiment at that Kampong Som. And later on, the soldiers of the regiment were removed, but not sent back to the Eastern Zone, to my recollection [...] I never saw them again], 14.28.16 [soldiers under Ta Doem were linked to the political tendencies of Ta Doem. The commander was already taken, so these soldiers were sent away. Soldiers from the East Zone were no longer trusted by the upper echelon, but I cannot tell you where these soldiers were sent to"]. *See also* **D98/3.1.89** Kaing Guek Eav alias Duch, T. 8 Jun 2009, 16.23.03 ["I was

focused on looking for the traitors and the strings of traitors”]; **D54/8** Dol Song WRI, A3 [“Q: What kinds of mistakes would account for them being arrested and killed in Division 164? A3: I am not sure what kinds of mistakes would reach the threshold for arrest and killing. However, I can suggest examples for those mistakes. Any soldier whose siblings at their base (hometown) had been arrested and accused of being traitors would also be arrested from within their unit. For instance, if the regimental chairman was arrested, his wife and family would also be arrested”].

341 **D234/2.1.55** S-21 Confession of Hang Doeun or Hoeung Doeun alias Dim, EN 00224085; **D1.3.18.1** S-21 Confession of Hang Doeun or Hoeung Doeun alias Dim; **D1.3.18.2** S-21 Confession of Hang Doeun or
Hoeung Doeun alias Dim, EN 00759713-17, KH 00177026-30.

342 **D54/8** Dol Song WRI, A12 [“Dim was transferred from the East Zone to be the deputy division commander of Meas Muth. At that time, those from the East Zone in the various division units were arrested”]; **D2/16** Touch Soeuli WRI, A20 [“Q: Were all the troops who had been sent from the East Zone to join the marine forces arrested and removed? A20: At the beginning they called and took away just the leaders. After that they removed all the rank and file”]; **D54/26** Pak Sok WRI, A10, 33, 35-36 [“our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel. At Kang Keng, they had us to farm rice with hoes [...] First they came to call us using the pretext that *Angkar* had called us to study. When we arrived, they had us start working the rice fields right away. Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything. At that time, only the lower ranking subordinates were still alive: the leaders all disappeared and never returned [...] A33: Dim came from the East Zone along with a division of military to join Division 164. After Dim was arrested, those East Zone military personnel were arrested one after another. At the time, an East Zone soldier [...] Chriel suddenly disappeared. I think that those East Zone military who had been arrested might have been taken to be killed at that killing site too [Ream cliff or Chamnaot Ream], but I am not sure. About one month later, my battalion commander convened a political education course, during which he proclaimed that Dim, Koy Thuon alias Thuch, and some other leading personnel were all K.G.B and CIA of the Vietnamese and were all traitors [...] A35: I knew about the sweeping clean of the East Zone military once [...] They declared that it was alright to have fifty military members in a battalion provided those military members were good. In my memory, the sweeping clean of the East Zone military began in 1976 before I was sent to Regiment 140 [...] At the time they arrested the leaders first; then they arrested the soldiers. A36: During the political course I heard that the arrests were conducted following the confessions of the leaders who had previously been arrested and taken away”]; **D54/13** Pres Mean WRI, A15 [“At the time, only the leadership echelon from the East Zone had been selected out. As for the ordinary soldiers, their weapons had been confiscated and they were sent to break rocks”]; **D54/36** Brak Sokha WRI, A2 [“Former East Zone soldiers were also in the mobile unit with us. They were accused of being traitors”]; **D54/33** Ing Chhong WRI, A20 [“After staying a week in Kampong Som, we were sent to Koh Kong Town to replace the East Zone group aboard PCF boats who had been removed”]; **D114/65** Chet Bunna WRI, A12 [About the command structure of the Regiment 140: “Ta Seng was the Regiment commander, and Ta Sam, who was from the East Zone, was the deputy. But Ta Sam was smashed at that time”]; **D114/86** Chet Bunna WRI, A30 [“Q: I would like you to look at this document, D1.3.5.9, which is in Khmer, EN 0016147, from Tuol Sleng or S-21 Office. The document is entitled the Treacherous Forces at 164+ 152”. What do you think of this document? A30: I know No.1, Ket Sam, and No. 12, Kun Dim. These persons were well-known”]; **D114/219** San Chuon WRI, A16, 23 [(Surviving Division 164 East Zone soldier): “after a period of three months of co-existence with each other, there was no longer mutual trust. Then even later, they began to suspect that all of the Easterners were traitors [...] at the start of 1977, took us to chop down forest Kup, near Stung Hav. There were very many of the likes of me there, hundreds of persons [...] Maybe two or three months later, they withdrew my group from there, saying we were going up for studies, but I didn’t go yet [...] Once they had been removed to go for studies, they disappeared forever [...] Later on, they took me myself along with four or five others were also to go for studies, saying we were going for studies in the East Zone [...] When we reached a school on the road to Stung Hav they went up into a big house at that location. My group went in underneath the house. They then jumped down and surrounded us, pointed guns at us and arrested us. Having gotten us into arrest, they beat and kicked us, then trussed us up and led me to jail [...] they took the prisoners out one at a time to beat and interrogate them. After beating and interrogating them, in the morning, they chained them up to work [...] the next morning, three more prisoners were sent out, lashed with electrical cabling and interrogated, all in the same way. After one week or ten days, a new round of beatings and interrogation started [...] A23: [...] they suspected the lot of us, that

all the Easterners were traitors”]; **D54/40** Pen Vy WRI, A23-24 [“The upper *Angkar* said that the Sector 22 was full of traitors. At that time they played the audio tape on the confessions of Dim and Sim for the military to listen for them to believe that the two were really disloyal. I knew the voices of the two people clearly. Q: Who took and played the audio tape and where was it played? A24: The commander who replaced Dim played it for the military to listen. It took place at Preaek Leab”]; **D59/2/3.14a** Pak Sok (Pak Sokh) DC-Cam Statement, EN 01185002, KH 00958291 [“Afterwards, [Dim] was arrested, and all his subordinates in the division were taken away. Q: Where were they taken? A: They were taken to be killed. They were killed at Ream cliff. After they were killed, bulldozers were sent in to bulldoze the earth”]; **D54/33.1** Y Chhon (Ing Chhong) DC-Cam Statement, EN 01073811, KH 00964200 [“700 soldiers from the East were integrated into the Navy, and later, some of them fled, and some were arrested and sent to be subdued [...] in the end, those from the East were all removed. [...] Ta Dim was also removed [...] both high-ranking and low-ranking leaders were removed when there were serious conflicts”].

343 **D234/2.1.55** S-21 Confession of Hoeng Doeun alias Dim, EN 00224085, KH 00162140 [Son Sen 8 May 1977 annotation on confession of Division 164 Deputy Secretary: “Though some are the right people, some others, whom I have known, are not. I will invite comrade Mut to check this together”]; **D4.1.766** Kaing Guek Eav WRI, 21 Oct 2009, EN 00398210 [identifying Son Sen annotations on Hoeng Doeun confession]. **D234/2.1.55** S-21 Confession of Hang Doeun or Hoeng Doeun alias Dim (colour copy), EN 00224085, FR 00235668 [Son Sen annotation on confession of Division 164 Deputy Secretary: “To brother to be informed. About the plan, it is followed. Though some are the right people, some others, whom I have known, are not. I will invite comrade Muth to check this together. This person will definitely implicate the others [...] 8 May 1977”]; another English translation can be found under: **D54/97.1** S-21 Confession of Hang Doeun or Hoeng Doeun alias Dim, EN 01072501 [“To Brother for information. As for plans, it is correct. As for some people, it is correct. But as for some I know, it seems unreasonable. I will invite Comrade Mut to come examine...may check the responses of other forces”]; Kaing Guek Eav alias Duch authenticated Son Sen’s handwriting as for this annotation: **D4.1.766** Kaing Guek Eav alias Duch WRI, EN 00398210, FR 00398219 [“The first document (ERN 00174375) was annotated by Son Sen and addressed to Pol Pot. I am not the author of these notes (I could not use the term ‘comrade Mut’ given his rank and age, he was senior to me). The second confession (ERN 00174384) is also entirely annotated by Son Sen, except for the ‘S’, which is circled, which I wrote and which means ‘secret’”].

344 **D234/2.1.54** S-21 Confession of Kun Dim, 21 Jul 1977, EN 00822359, KH 00175293 [Son Sen note: “Division 164 of Comrade Mut are mentioned [...] Contact Comrade Mut so that he can take measures. We have already basically removed all those on Comrade Mut’s side”]. *See also* evidence he received and discussed the content of the confession of a subordinate of Dim in Division 164 (who came from Sector 22): **D234/2.1.54** S-21 Confession of Kun Dim, 21 Jul 1977, EN 00822359, KH 00175293 [Son Sen note: “Division 164 of Comrade Mut are mentioned [...] Contact Comrade Mut so that he can take measures. We have already basically removed all those on Comrade Mut’s side”].

345 **D1.3.34.60** Telegram 00 from Mut (Meas Muth) to Office 870, 31 Dec 1977, EN 00184995.

346 **D114/83** Sok Neang WRI, A34-35 [“one of my uncles was a former Lon Nol soldier [...] Fortunately they did not know that I was his relative. My worry grew between 1977 and 1978 because I was ordered to produce my biography. It was used to conduct an onsite investigation at my home village. On one occasion, I met a fellow villager named Norn near the Phsar Loeur of Kampong Som Market. At that time, he seemed to have supervise[d] or control[ed] the Toek Sab Prison. Because he had relatives who worked for the Lon Nol regime, he was as worried as I was. He told me that if they came to arrest him, he would not allow them to [...] I learnt that one month before the Vietnamese arrived, they came to arrest him, but he escaped and he was shot to death [...] A35: During that regime, if one was related to the previous regime, she would get great attention from others. The Khmer Rouge regime purified and chose only good people to work for them. Other people had to be gone. If someone who was related to the previous regime worked normally like other people without making any complaints or objections, she would be all right. However, if she complained or objected to the regime she would be considered as having opposed the regime. Q: [...] what consequences would happen to them? A36: They would be arrested, interrogated and re-educated”].

347 **D54/100** Lay Boonhak (Bunhak) WRI, A101-102 [Witness was removed from his position in Regiment 140 in late June 1978, forced to work and threatened because his brother-in-law was arrested at the Division 164 hospital and it was found out they were related]; **D114/121** Suon Phar WRI, A42 [“I was sent to break rocks in Steung Hav in January or February 1978. My unit was completely disbanded, assigned to work in Kang Keng, and then sent to Steung Hav”].

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D54/111 Sam Phin WRI, A17-19, 23-24 [“Q: Can you please tell us in your own speech the events of your arrest, e.g. when did happen, how did it happen, why, who ordered the arrest, where were you taken to, how did they treat you, who were arrested alongside with you? A17: I was arrested possibly in late 1977, or early 1978. I am not sure about the exact time. At that time, a driver stopped in front of my house from Ta Muth's place. He called me out from the house and showed me a letter saying that I had to go to work at a new place. It was a white sedan car with a driver. I and my wife then prepared our belongings and got in the car in which there were already three young men and one young girl inside the car. We left and the driver told me we were travelling to PP. When we first arrived in PP, he drove me to a place called K-7 which was located on the riverbank near the royal palace. When we arrived at K-7, I saw six other people in that place already. When I asked what else I would have to do, the people at K-7 told me they were still waiting for the order from Office 870. After that, we changed to a Chinese military jeep, and left K-7 for Wat Chey Odorn. I did not know that I was being arrested in Wat Chey Odorn until they took away my belongings including medicines and then asked me questions, Then they separated me from my wife. A short moment later, a girl came and called me to see two soldiers who were waiting to see me. When I saw them, they started to apologize to me and said they were coming to take me back to K-7. When we arrived in K-7, I met uncle Khieu Samphan who apologized to me, saying to me that they did that to me because of the confusion of name and identification. At that time, I told uncle Khieu Samphan that if I had made a mistake why they did not kill me at Kampong Som, and why they wasted on gasoline to bring me here. Uncle Khieu Samphan kept apologizing to me. Afterwards, they drove me back to Kampong Som. As I know, the arrest order came from Ta Muth, the commander of Division 164. Q: How do you know that the arrest order came from Ta Muth? A18: Because the driver came from Ta Muth's place. I did not pay attention who signed the letter. Q: How do you know it was Khieu Samphan who met you at Office K-7? A19: People working at K-7 told me. [...] Q: Have you ever met Ta Muth and spoken with him about this event? A23: Yes. I spoke with him about it when I met him in early 1980 at the border. Q: What did Ta Muth say then? A24: Ta Muth just joked to me that I sent you that letter to assign you to a new workplace but why they treated you like that I have no idea”].

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Among the rare soldiers who survived are San Chuon (WRIs **D114/219** and **D114/220**) and a soldier Witness Pak Sok remembers as Chhean, who ended up working forcibly at the Kampong Chhnang Airport Construction Site and managed to survive the harsh conditions and killing of former East Zone soldiers there: see **D234/2.1.92** Pak Sok, T. 26 Jan 2016, 10.36.49-10.39.53. See also **D54/96** Teng Sarim WRI, A19 [explains that he personally does not know anyone from former Regiment 152 who survived and returned from Kampong Som but heard from the former Governor of Ou Reang Ov District that two persons named Saroeun and Yat survived]; **D114/297.1.20** Pak Sok T. 16 Dec 2015, 14.23.54-14.26.15 [“Ta Doem [...] later had been arrested and disappeared. After his arrest, other arrests were made one after another, against his soldiers who were from the east. No one left. Later on, his troops disappeared, and I had no idea at that time where the soldiers of Ta Doem were sent to [...] first Ta Doem was arrested. Later on, soldiers within his regiment were also arrested. Because Ta Doem had been arrested, perhaps there was something in Ta Doem's confession, but I did not know what was in his confession. The confession of Ta Doem implicated the soldiers of the regiment at that Kampong Som. And later on, the soldiers of the regiment were removed, but not sent back to the Eastern Zone, to my recollection [...] I never saw them again], 14.28.16 [soldiers under Ta Doem were linked to the political tendencies of Ta Doem. The commander was already taken, so these soldiers were sent away. Soldiers from the East Zone were no longer trusted by the upper echelon, but I cannot tell you where these soldiers were sent to”]; **D59/2/3.14a** Pak Sok DC-Cam Statement, EN 01185002, KH 00958291 [“Afterwards, [Dim] was arrested, and all his subordinates in the division were taken away. Q: Where were they taken? A: They were taken to be killed. They were killed at Ream cliff. After they were killed, bulldozers were sent in to bulldoze the earth”]; Another translation of the same interview (with corrections made by Pak Sok) can be found under: **D54/24.1** Pak Sok DC-Cam statement, EN 00978580, KH 00955511-12 [“After they arrested Dim, all of his troops of a division unit, who had come with him [from East Zone], were taken away. Q: Where did they take them to? A: They took his troops to be killed at a place near the Ream slope. After the killing, they used tractors to drag the earth to bury the corpses”]; **D54/26** Pak Sok WRI, A10, 33, 35 [“our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel. At Kang Keng, they had us to farm rice with hoes [...] First they came to call us using the pretext that *Angkar* had called us to study [...] Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything. At that time, only the lower ranking subordinates were still alive: the leaders all disappeared and never returned [...] A33: [...] After Dim was arrested, those East Zone military personnel

were arrested one after another [...] I think that those East Zone military who had been arrested might have been taken to be killed at that killing site too [Ream cliff or Chamnaot Ream], but I am not sure [...] A35: I knew about the sweeping clean of the East Zone military [...] They declared that it was alright to have fifty military members in a battalion provided those military members were good. In my memory, the sweeping clean of the East Zone military began in 1976 before I was sent to Regiment 140 [...] At the time they arrested the leaders first; then they arrested the soldiers”]; **D114/219** San Chuon WRI, A16, 23, 38 [surviving Division 164 East Zone soldier: “later, they began to suspect that all of the Easterners were traitors [...] at the start of 1977, took us to chop down forest Kup, near Stung Hav. There were very many of the likes of me there, hundreds of persons [...] Maybe two or three months later, they withdrew my group from there, saying we were going up for studies [...] They then jumped down and surrounded us, pointed guns at us and arrested us [...] they took the prisoners out one at a time to beat and interrogate them. After beating and interrogating them, in the morning, they chained them up to work [...] A23: [...] they suspected the lot of us, that all the Easterners were traitors [...] A38: [...] Seng and [...] Chhy. They fled, but were captured and put back in jail and were then beaten to the point of death”]; **D114/209** Moeng Seng WRI, A46, 52 [“I learnt that *Angkar* called them to be educated and then they disappeared [...] A52: We were afraid because people went missing one after another. That regime was very strict. This scared me”]; **D114/66** Chet Bunna WRI, A19 [“The Battalion 21 was in the Babos East, and this unit was under Ta Kheng. There were over 200 soldiers in this Battalion unit, and they all were the former troops from the East Zone. Whenever there was anyone in the not-good-element had made a mistake, he/she would be sent to be detained in Teuk Sap. During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank”]; **D2/16** Touch Soeuli WRI, A21 [“Q: You told us two days ago that not all the East Zone troops disappeared forever, but some were taken to do rice farming, is it right? A21: Yes, it is right. I knew that some troops were removed and taken to do rice farming in the areas near the Kang Keng Airfield”]; **D54/33.1** Y Chhon (Ing Chhong) DC-Cam Statement, EN 01073811, KH 00964200 [About the 700 East Zone soldiers: “some of them fled, and some were arrested and sent to be subdued [...] in the end, those from the East were all removed”], EN 01073818, KH 00964206 [“Q: When were Ta Dim and his 700 subordinates removed and sent to be subdued? [...] Was it long after they arrived there? A: Yes, it was a long time after they arrived. Some of them who had escaped were captured. I do not remember what happened, but most of them were smashed. Q: Were they smashed? A: Yes”].

D54/8 Dol Song WRI, A12-13, 15, 18 [“At that time, those from the East Zone in the various division units were arrested [...] A13: Dim and other East Zone people were taken away [...] Q: in which year the East Zone group were arrested? A15: [...] It was probably at the end of 1977 or early 1978. These arrests were done at the same time as the fighting between the East Zone military and the Vietnamese soldiers at the border [...] Q: In your Regiment 140, how many East Zone people were removed and how many of them were arrested? A18: I did not know. The sweeping clean was done seriously. Not only East Zone commanders were arrested; other soldiers in the division were also removed or arrested”].

D54/56 Meas Voeun WRIA, EN 00973406 [“Meas Voeun stated that Launch allegedly survived an arrest assassination attempt initialized ordered by Meas Muth in late 1978 early 79”].

See VIII.A. Purges Within Division 164; VIII.C. Division 164 Security Centres; VIII.E. Stung Hav Worksites; VIII.F. Ream Area Worksites.

See Annex D.1. See also VIII.D. S-21 Security Centre –5. Crimes – Other Inhumane Acts.

See III.2. Meas Muth’s DK Role – Deputy Secretary of the General Staff; III.2. Meas Muth’s DK Role – Effective Control. See also D114/297.1.23 Moeng Vet, T. 27 Jul 2016, 13.48.58-13.50.21 [“I was within Division 117 and that uncle [Meas Muth] was at the general staff level. At the general staff during the DK period, Son Sen was the commander in chief, and Meas Muth, the deputy commander in chief and Sou Met was deputy commander in chief of air force”]. **See further D54/62** Moeng Vet WRI, A22-23 [“As I knew it, Meas Mut was Deputy of the Military General Staff, meaning he was the deputy of Son Sen [...] A23: Son Sen was the commander of the General Staff; he was in overall charge of the military including the infantry. Meas Mut was the deputy of Son Sen, in charge of the navy. [...] All radio and telegraph communication had to go through the General Staff”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-13.58.19, 13.59.45-14.00.52 [“Before, [Sou Met] was Division 1 commander and Meas Muth was from Division 3. Son Sen, the minister of national defence, was transferred to somewhere else. Two of them were put in charge of the affairs of the Ministry of National Defence and Muth came to arrange our position”]; **D114/169** Seng Soeun WRI, A25 [“At that time, [Meas Muth] held both the Navy and a position called Deputy Minister of Defence acting for Son Sen. [...] Muth was Deputy and came to organize the Kratie Sector”]; **D59/1/1.8a** Prum Sarat

DC-Cam Statement, EN 00974225-27 [Around September 1978 Meas Muth went to Phnom Penh. Meas Muth was the deputy commander-in-chief of the general staff, promoted to this position in late 1978]; **D54/28.1** Liet Lan (Nam Lan) DC-Cam Statement, EN01170813 [Ta Muth was under Son Sen at the General Staff and was often in Phnom Penh].

355 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.45.51-13.50.21 ["if the forces at the battlefield at Kratie had to report, the report would be submitted to Muth and the reports had to be made since he had to be informed of how many weapons or ammunition [were] needed. And then they would communicate with each other at the upper level"]; **D54/62** Moeng Vet WRI, A22, 25 ["When the Vietnamese struck us along the border, Meas Mut always went to check the situation at the front line [...] A25: From what I knew, in the name of the Deputy of the General Staff, he had to go to examine the situation locations where the disputes occurred along the border"]; **D54/63** Moeng Vet WRI, A11-17, 19 ["Meas Muth worked on the General Staff, so he had authority to order three branches of the military forces [...] A12: [In October 1978] we requested help from Meas Mut, and he told Rum to wait a bit – that afternoon he sent the aircraft to help us. [...] A13: As a messenger, I worked in the office with the telegraph operator and the commander, so I knew what happened in that office. Q: When you said that Meas Mut ordered Rum to wait, did he communicate via telegram or radio? A14: He replied back via telegram. Q: Were the reports sent from Division 117 to Meas Muth on a daily basis, or were they sent only when something happened? A15: Before the fighting, the reports were routinely sent on a daily basis, but after the fighting started, reports were sent every time anything happened. [...] A16: The reports were sent to the General Staff, not to any specific person, but we knew that a person who got the telegrams worked for someone. For example Thi and Kung were Meas Mut's messengers. Q: How did you know that Meas Mut was the one who told Rum in the telegram to wait for the aircraft? A17: I saw the telegram [...] A19: Meas Mut began to be involved in responsibility for the eastern border in 1978 when the Vietnamese soldiers were striking strongly"]; **D114/285** Bun Sarath (Prum Sarat) WRI, A224 ["When Meas Muth travelled to Kratie, the important purpose was the war along the border between Cambodia and Vietnam. The fighting was intensive"].

356 Meas Muth has himself admitted going to Kratie. However, inconsistent with all other evidence on the Case File, he stated that this occurred in February 1978: **D54/16/1R** Meas Muth Audio Interview with David Kattenburg, 2009, 34:37-35:28 ["I was not at Kampong Som. In February 1978 I had left Kampong Som already. Q: Where did he go? A: I was assigned to work in Kratie province near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission in Kratie"]. See **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 ["There was a reshuffle, new cadres went to replace the old ones and the old ones were sent to Phnom Penh, and after that they disappeared. That happened during the intensified situation pursued by the Vietnamese or 'Yuong'; and at the time, 'Yuong' took over the whole Snuol district. Muth went there"]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992990 ["It was not until 1978 that [Meas Muth] went to Kratie after Von Vet was arrested"]; **D114/52** Cheang Chuo WRI, A42 ["Q: When did Meas Muth go to Kratie Sector? A42: In light of the fact that Ta Nhan went to command Division 117 about a month before the arrival of the Vietnamese soldiers in approximately late November or early December 1978, I think that Meas Muth went there during that period"]; **D54/23** Pak Sok WRI, A8-9 ["Meas Muth was sent to Kratie because at that time the arrests of cadres surged [...] A9: He went there in late 1978 for a short period of time, approximately two weeks or half a month"].

357 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.43.55-15.46.20 and **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.52.20-09.54.38 [testified to seeing a letter marked 'M-870' delivered by Meas Muth's messengers, Thi and Kung, to Division 117 Commander, Rum, calling 11 individuals from Division 117 and Sector 505, to Phnom Penh and specifying details of their journey by air] confirming **D54/62** Moeng Vet WRI, A24, 29 ["I remember one day a messenger came from the airport to deliver a letter to Rom, the commander of Division 117, to have him attend a meeting in Phnom Penh. That letter said that an aeroplane would arrive at 9 a.m. to pick them up [...] I saw that the letter was sent from Office 870 (Mo-870) [...] that letter listed the names of the 11 people who were called to attend the meeting [...] A29: the letter was sent to Rom with the names of the 11 people to attend the meeting in Phnom Penh"]; **D114/52** Cheang Chuo WRI, A30-32 ["During that time, the purge began. They removed my comrades-in-arms, for instance Rum and Leang. [...] They were called to a meeting in Kratie, and then they disappeared forever. [...] A31: 'They' were the Centre echelon. [...] A32: Before Rum and Leang went to the meeting in Kratie, they met with us saying that they had been called to a meeting in Kratie by the Centre. At that time, they did not call it 'the Centre': they called it '87' [...] A40: The division's upper echelon was the Centre, because this division was under the direct

command of the Centre. I do not know who exactly was at the Centre, but at that time, Meas Muth came to organise Division 117”]; **D114/285** Prum Sarat WRI, A230 [“Q: Who sent Meas Muth [to Kratie]? A230: According to my knowledge, it was the General Staff who did it”]; **D114/101** Em Sarin WRI, A24-40 [Stating that he coordinated with Office 87 to make the arrangements for Yeng and Phoen to fly to Phnom Penh].

358 *See Annexes D.2 and D.4 and paras 550, 861 of this Submission. See also D114/297.1.22* Moeng Vet, T. 26 Jul 2016, 15.43.55-15.46.20 and **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.52.20-09.54.38 [testified to seeing a letter marked ‘M-870’ delivered by Meas Muth’s messengers, Thi and Kung, to Division 117 Commander, Rum, calling 11 individuals from Division 117 and Sector 505, to Phnom Penh and specifying details of their journey by air] *confirming D54/62* Moeng Vet WRI, A24, 29; **D114/169** Seng Soeun WRI, A30 [“Muth was the one who sent those arrestees to Phnom Penh by plane. [...] I want to add for your understanding that Muth sent them by plane. Muth organized that”]; **D114/170** Prum Mon WRI, A36, 38 [“Lim [Regiment Commander] told me that Ta Muth ordered to arrest my husband [Khun Rom] [...] A38: My husband, Ta Moeun, Ta Leang were all arrested”].

359 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.03.52-14.10.10 [Seng Soeun witnessed Kratie District Secretary Huon Yeng and Snuol District Secretary Chhum Chen alias Phoen being “put on a plane heading for Phnom Penh.” However Seng Soeun and Phoen, whom Soeun knew from his youth, “did not dare to speak to one another because Meas Muth was around”]; **D114/169** Seng Soeun WRI, A30, 40, 42, 47, 49 [“Muth was the one who sent those arrestees to Phnom Penh by plane. [...] I want to add for your understanding that Muth sent them by plane. Muth organized that. A40: Chen, I knew very well. Yeng, I met him when he was boarding [...] A42: I met [Chen] before boarding the aircraft. We were about to speak, he wanted to talk to me, but Ta Muth gave us a fierce look, so we dared not speak to each other. [...] A47: At that time I was called by Muth to meet him about gathering up the troops. Those two [Chen and Yang] had already been arrested and brought to the airfield. [...] A49: [Meas Muth] came to organize and call those they wanted to board the plane”]; **D4.1.810** Seng Soeun WRI, A35-36 [“[Yeng] was put in a plane and taken away to Phnom Penh, possibly to be executed. I know because Meas Muth said those people were purged. A36: [...] [Chen] was also taken to Phnom Penh to be executed. I saw when Phoen and Yeng were boarded on the plane”].

360 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.35.51-09.41.29 [Describing a meeting in Kratie where Meas Muth announced that the leaders “were considered traitors” and that “commanders of divisions had to be replaced with the new ones”. “Meas Muth mentioned that my group did not fight hard enough against the ‘Yuen’, and allowed ‘Yuons’ to come in”]; **D54/63** Moeng Vet WRI, A2 [“Before Meas Mut walked into the meeting, he [told] the messenger, and the other soldiers outside the meeting that ‘Your leaders are all traitors’”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992993-94, 00993000-01 [describing meeting in which Meas Muth “announced the traitors” and assigned cadres to “fight the Yuen”].

361 **D54/63** Moeng Vet WRI, A2 [“Meas Mut was angry and said that we were not resolute in fighting the Vietnamese. Because of those events, Meas Mut had lost his trust in the division leadership and removed those 11 people”].

362 **D114/51** Cheang Chuo WRI, A1 [“Q: You told us that the Centre assigned and facilitated the deployment of Meas Muth to control that area. You learned this at a regimental-level meeting when they announced that Brother Muth had come there to control the area. [...] At the moment, after taking an oath, do you consider the summary we have described as accurate according to the conversation we had yesterday? A1: Yes, it is accurate”].

363 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.38.19-09.39.48 [“[Meas Muth] convened the meeting among everyone from the office. The meeting was to declare that leaders of -- commanders of divisions had to be replaced with the new ones. Drivers, messengers and other staff, people from the hospital, were called to the meeting and we were told that all our leaders were traitors and there were new replacements; for example, Nhan would replace the old divisional commander”]; **D54/63** Moeng Vet WRI, A1 [“I attended only one meeting with Meas Mut, in which he announced the changing of division leadership”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.51.58-13.57.20 [testifying that the five new appointees from the Southwest Zone were called to a meeting with Meas Muth upon arrival]; **D114/169** Seng Soeun WRI, A19 [“Q: Did Muth come to meet you at the aircraft, or did you meet him at his house? A19: At the Sector Office. He came to meet us at night: he had been on the battlefield”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.46.29-13.58.19 [stating that Meas Muth “came to arrange [their] positions in Kratie”. When the witness arrived in Kratie with the other replacement cadres, they handed their biographies over to Meas Muth who “presided

over the announcements of the promotion” “on behalf of Pol Pot”. Meas Muth personally decided to place Seng Soeun in charge of the Sector 505 office]; **D4.1.810** Seng Soeun WRI, A27, 31 [“letter stated that Meas Muth was in charge of assigning the above-mentioned people to the new appointments” [...] A31: stating that Meas Muth was “sent to Kratie earlier to arrange our new appointments”]; **D114/169** Seng Soeun WRI, A20 [“I first met [Meas Muth] when we handed over the letter of assignment at the Kratie Sector Office. We came to meet him, and he announced the assignments”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753838 [“[Meas Muth] came to assign me when I arrived on 5 December 1978”]; **D114/52** Cheang Chuo WRI, A40-54 [“Q: Who made those accusations against Division 117? A40: The division’s upper echelon was the Centre, because this division was under the direct command of the Centre. I do not know who exactly was at the Centre, but at that time, Meas Muth came to organise Division 117 and assigned Ta Nhan commander of Division 117, so I thought that Meas Muth was the representative from the Centre. Q: How do you know that Meas Muth assigned Ta Nhan to serve as commander of Division 117? A41: I learned that through the new commander, Ta Nhan. Ta Nhan said, ‘Brother Meas Muth has come to Kratie to reorganise Division 117.’ Q: When did Meas Muth go to Kratie Sector? A42: In light of the fact that Ta Nhan went to command Division 117 about a month before the arrival of the Vietnamese soldiers in approximately late November or early December 1978, I think that Meas Muth went there during that period. [...] Q: When Ta Nhan came to announced that Meas Muth had come to Kratie to reorganise the division and the leadership, what position and status did Ta Nhan announced Meas Muth held? A54: At that time, Ta Nhan held a meeting telling lower echelon cadres that Meas Muth had come from Phnom Penh to reorganise the division and the leadership. As for Rum and Leang, they were transferred from this division. Therefore, I concluded that Ta Muth came to reorganise the division, meaning Ta Muth represented the Central Committee”].

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D54/110 Lon Seng WRI, A6-7 [“Meas Mut brought with him some people like Nhann, commander of the special unit and other commanders he trusted. I know that these people went to Kratie because during a meeting my commander made an announcement to us regarding names of leaders and where they would go. Q: Did you know how many soldiers went to Kratie with Meas Mut? A7: Most of the land army under the navy, except those who were in charge of the ships, was sent to Kratie with Ta Mut”]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 [“[Meas Muth] came from Kampong Som together with soldiers of a regiment, and he gave those soldiers to Pheap [...] I knew that his army was based at Kou Loab near Sambok mountain”]; **D54/63** Moeng Vet WRI, A21, 23-24 [“Q: How many military units did the Centre deploy in Kratie Province at that time? A21: Initially there was Division 117; later one regiment from Division 164 was deployed there. [...] Q: When Meas Muth went to Kratie, where did he stay? A23: I did not know, but generally he stayed at Kou Loab Village where the regiment of Division 164 was deployed. [...] A24: The regiment was stationed there until the Vietnamese soldiers struck hard in December 1978”]; **D54/62** Moeng Vet WRI, A26 [“The regiment of Pheap was a special force of Meas Mut”]; **D114/191** Sao So WRI, A44 [“I knew that the division from Kampong Som were with Meas Muth [...] They came to help Division 117 who had not been victorious”]; **D114/52** Cheang Chuo WRI, A56 [“I just know that soldiers went with Ta Nhan [to Kratie]”]; **D54/98** Heang Ret WRI, A36 [“Division 164 had to send some forces to help the forces who were stationed along the border. At that time, Meas Muth led more than half of the military forces from Regiments 61, 62, and 63 to fight the Vietnamese at the border [...] he went to the border around October 1978”]; **D114/285** Prum Sarat WRI, A226 [confirming that Meas Muth took Division 164 troops with him to Kratie]; **D54/50** Meas Voeun, A5-6, 9 [Division 1 commander stating that Division 164 troops, “personally commanded by Ta Mut” were stationed along the Vietnamese border as “the rear defense line” and describing incidents occurring between Division 1 and Division 164 “in November or December 1978”]. *See also* **D54/63** Moeng Vet WRI, A32 [recalling that Touch, Nhan’s messenger, Vai, a telegram decoder and Kha, a telegram typist were among the Division 164 personnel sent to Kratie]. Soldiers were also drafted in from elsewhere and placed under Nhan’s command: **D114/149** Touch Chhum WRI, A1-71 [describing being sent by Sou Met to Kratie to fight the Vietnamese. Met told him: “to cooperate with Unit 164 that was under the direct supervision of Nhan”. While there, he reported to Nhan. Although he does not clearly remember the date of his transfer, it is most likely he moved there in November 1978]. *See further* **D123/2/2.18a** Touch Chhum DC-Cam Statement, EN 01333949 [“I was sent to the border in November 1978”].

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See paras 550, 867-868. See also **D114/75** Sin Sisophal WRI, A153-165 [witnessed the removal and arrest of battalion commanders in Kratie in December 1978 by “soldiers from the Southwest Zone”. These lower-ranked cadres were “accused of betrayal because all their commanders had been arrested”. The witness named Pin, Sophy, and Diran whom he saw being “thrown into a vehicle like a pig”]; **D114/52** Cheang Chuo WRI, A34 [“Later, some regiment and battalion commanders were also called away and disappeared forever.

At that time, some regiment and battalion commanders fled and abandoned their units because they were afraid of being arrested and killed”]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 15.52.09-15.59.01, EN 00819717-18 [The witness was shown D1.3.28.146 (CF2: E3/1651), the S-21 Prisoner List containing the names of the 22 individuals from Sector 505 who arrived at S-21 on 27 December 1978. He confirmed recognising the name of “Sambat from Sambok commune.”; “Q: Do you recall hearing, in late 1978, that a number of commune and cooperative chiefs in Kratie had been arrested? Do you recall that? A: I heard about the arrest of the Sector Committee. Then many people were also arrested at Thma Kreae village, at the Sambok commune, and at other communes as well”]; **D114/193** Sao Sarun WRI, A64 [heard from others that “[Nhan] was from the naval division and had come to Kratie to carry out arrests”] *confirming* **D4.1.444** Sao Sarun WRI, EN 00278696-97 [“Nhan, former chief of the marine Division at Kampong Som, travelled to Kratie and I heard from other people that Angkar had his group come and arrest the civilians and military”].

D54/62 Moeng Vet WRI, A12 [“A commander of sector regiment named Oeung and the military commander of Snuol District named Kren attended [Moeng Vet’s admission ceremony]”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753848-49 [“I arrived when Moeun and Khon were arrested and Oeung was still there. He was like a deputy of military and became chairman of military in the Sector after the two [Moeun and Khon] were arrested. [...] Oeung was in charge of the army”].

D114/297.1.27 Seng Soeun, T. 29 Aug 2016, 14.17.50-14.19.31 [testifying that “Meas Muth himself who ordered his messenger to kill Mav Oeung”, a former classmate of the witness from his native village. Meas Muth told the witness personally that “he already solved the matter”]; **D114/169** Seng Soeun WRI, A27-30 [stating that two or three days after he arrived in Kratie, Meas Muth “ordered the immediate execution of Oeung”. Muth called the witness to his office to tell him “I already gave the order to solve/sort out Oeung.” The witness explained that “Muth did not do it by himself: his bodyguard fired the shot”].

D4.1.849 Khum Kim WRI, A5 [describing meeting with Nuon Chea in 1977 in which he announced that the Vietnamese invasion into Cambodia was “caused by the enemy burrowing from within the Khmer Rouge army and administration that cooperated with the Vietnamese”, adding that those in the army “must try [their] best to protect [DK] territory”, and that if they “lost an inch of land” they were “traitor”]; **D4.1.791** Chum Cheat WRI, EN 00398840 [“At that time, they issued a strict regulation that we must not have been defeated in the fighting, or if we were defeated, we needed to have clear reasons; generally speaking, we were not allowed to withdraw; if we withdraw, we had to have a reason”]; **D32/4** Sin Sophal WRI, A57 [“when East Zone soldiers and cadres retreated from the battlefield, the Central Zone military would just be waiting there to arrest and kill them there”].

D54/50 Meas Voeun WRI, A4, 5, 8 [Division 1 commander heard from Division 1 troops who had withdrawn from fighting at the Vietnamese border that they had been “chased and attacked by the military forces of [...] Division 164” under Meas Muth. He explained that “Division 1 was unable to counter the Vietnamese troops, and Division 1 was attacked by Division 164 because we were accused of being non-patriotic, non-resolute and not strongly committed [...] A5: When the Vietnamese troops strongly attacked the defence line of Division 1, some of the military forces of Division 1 withdraw. When the Division 164 saw the military forces of Division 1 withdrawing, they fired and shelled the retreating troops [...] When the frontline defense soldiers withdrew, this Centre unit would arrest or shoot them because they did not want us to retreat from the battlefield [...] A8: As far as I know, 3 or 4 of them were wounded and 4 or 5 of them were killed, but some died of drowning while they were swimming across the river during the shooting from the rear by Division 164”]; **D54/50** Meas Voeun WRI, A6 [“Q: How did you know that Division 164 was responsible for preventing other military forces from retreating? A6: As far as we knew, the Division 164 was a Centre division and had authority over the other divisions. Division 164 was personally commanded by Ta Mut. This division was responsible for battlefields and target locations where other divisions were stationed. As it was a Centre division, Division 164 had the right to arrest and shoot to death the military forces of any division that retreated from the battlefield”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN00978576 [“Q: Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes”].

D54/87 Prum Sarat WRI, A75-76, 84 [“I heard from the commander of my regiment that Son Sen ordered Meas Mut to lead troops to suppress the rebels in the East Zone led by Sao Phim. As you know from the above, the first enemy of Democratie Kampuchea was Vietnam, and the second enemy was the intimal enemy. I heard about the suppression from Son Sen when I attended education sessions organised by the General Staff in Phnom Penh. Son Sen confirmed that Sao Phim had already been put down. Q: Did Son Sen tell you what Meas Mut would be doing in Memot District? A76: At the end of 1978, Meas Mut went to

Memot District to serve as the commander at a time when events were taking place in the East Zone [...] Q: Did you know the soldiers whom Meas Mut led to Memot District? A84: No, I did not know. I just knew that Meas Mut went there with some soldiers from Kampong Som and some from the General Staff, but I do not know the unit numbers and their commanders”].

D54/16/1R Meas Muth Interview with David Kattenburg, 2009, 33:32-35:26 [“In February 1978 I had left Kampong Som already. Q: Where did he go? A: I was assigned to work in Kratie province, near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission”].

See VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea; VIII.C.4. Toek Sap Security Centre; VIII.F. Ream Area Worksites – 3. Crimes – Murder, Extermination and Enforced Disappearances; Annex D.5.

D4.1.862 *Revolutionary Flag*, Apr 1977, EN 00478496 [“As for the enemies that are [...] ‘Y[uan]’ agents, the cheap running dogs of the enemy [...] 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”].

D4.1.862 *Revolutionary Flag*, Apr 1977, EN 00478496 [“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”].

D4.1.868 *Revolutionary Flag*, Apr 1978, EN 00519830 [“The Presentation of the Comrade Secretary of the [CPK] on the Occasion of the 3rd Anniversary of the Great Victory of 17 April”]. *See also D1.3.24.5*, *Revolutionary Flag*, May-Jun 1978, EN 00185333 [“To sum things up on the other side in the contradiction with us are the CIA, the Yuon and the KGB, and among these the Yuon are the most noxious and acute. Proceeding from such an analysis of this acute life-and-death contradiction, what are our attack measures? 1. Our sharpest attack is on the aggressive, territory-swallowing Yuon. 2. At the same time, we attack the CIA and KGB. We attack simultaneously, but we pay most attention to attacking the Tuon [sic] because they are the most noxious and acute”]; **D4.1.869** *Revolutionary Flag*, July 1978, EN 00428289 [“The national duty of all of us its to struggle to fight to eliminate our aggressive, expansionist, territory-swallowing and genocidal Yuon enemy. Just like the Kampucheans of our current generation, absolutely no Kampucheans of any subsequent generation will lay down arms and stop fighting the aggressive and expansionist/territory-swallowing and genocidal Yuon enemy of the Kampuchean race”].

D4.1.617 FBIS, *Past Year’s National Defence Efforts Reviewed*, 10 May 1978, EN 00294786 [“The party instructed that we must try to destroy as many of the enemy as possible and to preserve our forces to the maximum. [...] This was our slogan. In terms of numbers, one of us had to kill 30 Vietnamese”]; EN 00294790 [“We must purify our armed forces, our Party and the people in order to continue fighting the enemy in defense of Kampuchean territory and the Kampuchean race, for if we fail to do so, our race will disappear”]. *See also D69.1.21* Khieu Samphan Speech, 15 Apr 1978, EN 00280392 [“We are all proud of our Revolutionary Army. We have respect, affection and admiration for our army because it is the solid cornerstone of the defence of the independence, sovereignty, territorial integrity, honour, national dignity and the race of Kampuchea”].

D114/277.9 Kaing Guek Eav alias Duch, T. 22 Jun 2016, 13.51.23-13.59.16 [confirming he heard presentation printed in *Revolutionary Flag* D4.1.868 at 17 April 1978 rally he attended].

D4.1.868 *Revolutionary Flag*, Apr 1978, EN 00519833-34 [“The Party made the determination to fight and smash large numbers of the enemy’s life forces and to protect our forces to the maximum. [...] This is our slogan. Looking at the numbers, one of us must fight 30 Yuon. If we can implement this slogan, we win. [...] So when we have 2,000,000 we already have more than we need to fight them because they only have 50,000,000. We don’t need to use 8,000,000; we can use [a] force of only 2,000,000 to fight and smash the Yuon and still have 6,000,000 left”]. *See also D1.3.25.33* FBIS, *Khieu Samphan Statement*, 31 Dec 1977, EN 00166070 [repeated references to how “when 100 of the enemy were killed or wounded, we suffered from 3 to 5 killed or wounded” which may be the origin of the 30:1 reference in Pol Pot’s speech].

D1.3.34.60 Telegram 00 from Meas Muth to Office 870, 31 Dec 1977, EN 00184995.

D54/23 Pak Sok WRI, A31-34 [“Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive. But at the time, the Khmer Rouge considered the Vietnamese as heredity enemies [...] A32: the Thais had not have much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that’s why the Vietnamese were considered the Hereditary

Enemy and Enemy Number One. Q: Why do you know all these things? A33: Because the commanders of the battalions and regiments underwent training with the division, and when they returned from the training they taught us about this in training sessions. Q: Who were responsible for political education in Division 164 from 1975 to 1979? A34: Meas Mut, who was then Political Commissar of the Division”]; **D114/284** Ek Ny (Ni) WRI, A3-7 [“Q: We would like to clarify with you that we understand the case. We know that you are Cambodian and were not born with hatred against the Yuon; however, when you worked as a low ranking soldier, Upper Angkar set a policy to kill or destroy the Yuon. So, did they mention which Yuon were to be destroyed? Was it the South Yuon or North Yuon, or young or old Yuon? A3: We had to obey their disciplines; obey their orders. We did not care whether they were Yuon from the South or North, old or young, as long as they were Yuon. Q: The telegram which Ta Muth sent to Angkar, Document D 1.3 .34.60 with English EN 00184995 and Khmer EN 00001325, was related to the topic of the Yuon. How did they indoctrinate their ideology to the low ranking soldiers? A4: It was right as I said; it was right. It had to be like that, not different from that. We had to purge and destroy them from the inside. Q: We want you to explain the terms purge or destroy. What do those words mean in normal language? A5: Those who were related to this were Khmer, the soldiers. When they used the term ‘purge’ in the army, they referred to the Yuon network. However, we did not care with which network they were affiliated. We simply purged them from the inside, from within the army. Q: Are the words you read in the telegram the same as those you were taught in the meetings? A6: Yes, they are. Everything is the same. Q: Even though it is long ago, we want to know if you remember being in a meeting in which Ta Muth talked about traitors. At that time, did they use the same words as are used in this document? A7: Yes, they did. Everything is the same”]; **D114/95** Yoem Sroeng WRI, A202-208 [“Q: Did you ever meet Meas Muth or him speak? A202: I saw him when he attended meetings, but I never talked to him. Q: When were the meetings? A203: Military educational meetings were held once a year. Q: You said they held meetings once a year. Did you attend the meetings from 1975 to 1979? A204: Yes. Q: What did Meas Muth say in those meetings? A205: He talked about military education, national reconstruction and national defense, and strengthening military discipline, both in the navy and army. Q: Did Meas Muth say what kinds of enemies we had to fight? A206: He never talked about that. He said that anyone who opposed us was an enemy. Q: When he said those words, was he referring to foreigners or Cambodians? A207: He was speaking to Cambodian troop: he told us not to be deceived by the enemy and not betray our ranks. Q: Did Meas Muth say how to be vigilant against persons deceiving and betraying the Cambodian people? A208: He wanted say not to be deceived by the Vietnamese”]; **D114/58** Som Saom WRI, A25-26 [“Q: How many people attended each study session? A25: There were about 50 or 60 people for each session. They participants were both civilians and soldiers from various units under Division 164. Q: In the study session that Meas Muth attended did he or other speakers talk about the situation of the enemies including the internal and external enemies? A26: Yes, they did. But I do not remember. I did not understand those matters. They talked about KGB, the Vietnamese spies and so on”]; **D114/19** Ma (Mak) Chhoeun WRI, A18, 20 [“Q: During those meetings, what instructions were given concerning the defence of the territorial waters against infiltration by foreign fishing boats and ships? A18: They instructed us that if we saw fishing boats enter our territorial waters but remain close to the maritime borderline, we should not do anything; but if those boats came deep inside our territorial waters and remained inside them for long, we should attack them immediately. Such incidents frequently occurred in my area. My area was near the Vietnamese border, so most of the fishing boats which entered our territorial waters were Vietnamese motorboats. Most of those fishing motorboats were armed with guns and weaponry. [...] Q: Who gave the instructions to attack those boats? A20: If Ta Mut chaired the meetings; he gave those orders. If Ta Dim chaired the meetings, he gave those orders”]; **D54/12** Pres Mean WRI, A27-32 [“Q: Did you see Ta Mut many times at Stung Hav? A27: I saw him only once, at that meeting. Q: Do you remember if Ta Mut talked in the meeting about the work at the rock breaking sites, the stone port, or other worksites in Stung Hav? A28: I cannot remember. He spoke about those who betrayed the Party, and he said that those accused of treason had to be rounded up and put in one place. [...] A29: [Meas Muth] said that those who had once been in the Workers Party, which was a Vietnamese party, were regarded as traitors. Q: During that meeting did Ta Mut mention the names of any of the traitors? A30: Yes, he announced that Ta Nhoek the Sector 37 Secretary, Ta Pon on the Sector 37 Committee, and Ta Chhan also on the Sector 37 Committee (were traitors). But I did not know the exact roles of the last two cadres. And Dim was Ta Mut s deputy in Division 164. [...] Q: Did Ta Mut mention the place where those people were taken? A31: If a traitor was discovered the traitor would have already been taken away and disappeared before the name of the traitor was announced. Q: Did Ta Mut explain in the meeting what happened to those people? A32: He said that they were traitors”]; **D54/13** Pres

Mean WRI, A4-5, 11-12 ["Q: Why did Ta Mut call that meeting? Was it a special event? A4: It was not a routine meeting. In 1977 the situation was in turmoil. The Communist Party of Kampuchea was supported by China; the Workers Party was supported by Vietnam; and the American CIA and the KGB were amongst the people. So they had to screen out all of those people. Q: Is this your own idea, or did someone tell you this? A5: Ta Mut announced it in the meeting. [...] Q: Did only Ta Mut speak in the meeting, or did any other cadres speak? A11: Only Ta Mut. Q: Did any other leaders of Division 164 accompany him? A12: Only he and his bodyguards were there"].

381 **D114/95** Yoem Sroeung WRI, A202-208 ["Q: Did you ever meet Meas Muth or him speak? A202: I saw him when he attended meetings, but I never talked to him. Q: When were the meetings? A203: Military educational meetings were held once a year. Q: You said they held meetings once a year. Did you attend the meetings from 1975 to 1979? A204: Yes. Q: What did Meas Muth say in those meetings? A205: He talked about military education, national reconstruction and national defense, and strengthening military discipline, both in the navy and army. Q: Did Meas Muth say what kinds of enemies we had to fight? A206: He never talked about that. He said that anyone who opposed us was an enemy. Q: When he said those words, was he referring to foreigners or Cambodians? A207: He was speaking to Cambodian troop: he told us not to be deceived by the enemy and not betray our ranks. Q: Did Meas Muth say how to be vigilant against persons deceiving and betraying the Cambodian people? A208: He wanted say not to be deceived by the Vietnamese"].

382 **D54/23** Pak Sok WRI, A31-34 ["Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive. But at the time, the Khmer Rouge considered the Vietnamese as heredity enemies. [...] A32: the Thais had not have much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that's why the Vietnamese were considered the Hereditary Enemy and Enemy Number One. Q: Why do you know all these things? A33: Because the commanders of the battalions and regiments underwent training with the division, and when they returned from the training they taught us about this in training sessions. Q: Who were responsible for political education in Division 164 from 1975 to 1979? A34: Meas Mut, who was then Political Commissar of the Division"].

383 **D54/87** Prum Sarat WRI, A138-139 ["Q: How and by whom were reports made about the capture of those Vietnamese soldiers and civilians? A138: When they were arrested, they reported via communication radio from the islands to the division. Q: Did they report the arrest of the Vietnamese to Meas Mut or someone else? A139: In cases of reporting, when Meas Mut was at the Office, they would report to him directly. But when he was not around or was absent, they reported to person acting for him"].

384 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.03.10-10.05.46 ["Yes, there were reports from one level to another level; if there were arrests of the Vietnamese, and then we reported about the arrest of Vietnamese. If there were arrests of the Thai, we reported the arrest of the Thais, so it was a clear report that went from one level to the upper level"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.03.07-11.06.59 *confirming* **D54/23** Pak Sok WRI, A27-28 ["These orders came from the division down to the battalions. [...] A28: [...] it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance"]. *See also* **D114/12** Neak Yoeun WRI, A16, 19-23 ["Q: What happened when your ship went out to support the PCF boats those two or three times? A16: The first incident happened when a PCF boat went to capture a Vietnamese fishing boat, and that boat fired at the PCF boat. The PCF boat asked for intervention. The second and third incidents also happened with Vietnamese boats. When we intervened, our ship intercepted blocked the path of the Vietnamese boats so that they could not escape. Then the PCF boat initiated the capture. [...] Q: What did they do to call for help? A19: To request intervention, first the PCF boat made a request to Division 164, and then the division issued commands down to Regiment 140 and on down to Han's battalion. Han was the one who commanded our boat to go. Sometimes they even called for intervention in the middle of the night. Q: From whom did you learn about this method of communication? A20: This was the general operating procedure at that time. The orders came from the division to Han's battalion. Touch also talked about this. Q: You said that the orders came from the division to the battalion. Did you know who at the division level issued the orders? A21: Ta Mut issued the orders. Q: How did you know that the orders came from Ta Mut rather than from his deputy or his headquarters? A22: I would like to give you an example. All of the decisions came from the senior leader. His deputy could issue the orders only when Ta Mut was absent. In the battalion, Han issued the orders. Other people could speak, communicate, or write down the orders, but decision-making was chairman's work. In a case where the deputy chairmen, the members, and chairman

were absent, everyone discussed the measures to be taken, but decisions were made by the chairman. Q: Was this process that you have described also implemented at Ta Mut's level? A23: It was the same"]. *See further* **D54/116** Neak Yoeun WRI, A36-42 ["Q: In your interview with DC-Cam on page 17, you said that the people who had been arrested were then taken to be killed by shooting on Koh Rong Island. Can you explain further about this? A36: At that time I saw them towing the boat they had captured to Koh Rong Island. That boat was a Yuon boat. They kept the boat at Koh Rong Island overnight. At about 2 p.m. or 3 p.m. the next day, they towed that boat on to Tumnap Rolork [Jetty] in Kampong Som. At that time when I asked Touch Horn's personal messenger-what had happen to the people captured in that boat, Touch told me that those people had been all shot to death on the island. At that time Horn warned us not to say anything about this story. Q: In your interview with DC-Cam on page 17, you said that when 'they' arrested people, 'they' radioed to the Division, and the Division replied 'You do whatever you want. Do not keep.' Whom did you refer to as 'they'? A37: At that time Hom was stationed on the Koh Rong Island, so 'they' refers to Hom. Those killed on the Koh Rong Island were Vietnamese. Q: What did the phrase 'You do whatever you want. Do not keep them' mean? A38: Based on my understanding, this meant the order to shoot them all to death on site on Koh Rong Island. Do not keep them alive or bring them to Kampong Som. Q: How did you know about this communication? A39: I asked Touch, and he told me about that. Touch was Hom's personal messenger. Touch and was a faithful man. He did not report about what I had asked him to Hom. Hom always had Touch carried his radio set. Q: Did Touch tell you who had given the order from the Division? A40: That order came from Ta Mut, the Division commander. Q: Is Touch still alive or dead? A41: He was shot to death by the Vietnamese. Q: Do you still remember the location where, and in which circumstance when, Touch told you these stories? A42: It was on the Koh Rong Island in late 1976. At that time I was already assigned to work on the ship. Touch told me about this order about one week after they had towed the Vietnamese boat to Kampong Som. Touch told me these stories at the time I went to wash my ship"].

D54/102 Ek Ny (Ni) WRI, A41, 43-44 ["At the beginning, whenever we had captured any Vietnamese and or Thai, we sent them to Ta Muth in Kampong Som. But later on, Ta Muth ordered us not to waste gasoline to transport them to Kampong Som anymore. He told us that we should make them as fertilizer for the coconut trees on the island. Each corpse was cut into two pieces, and one piece was buried under one coconut tree as fertilizer. [...] Q: You said that after the Vietnamese and Thai had been captured, they were sent to Ta Muth in Kampong Som. Can you explain what do you mean by saying that? A43: Any persons who had been captured by the navy forces must be sent to Ta Muth in Kampong Som, and we heard at that time that those captured persons were all ended up in the durian plantation. During that time the killing place of Division 164 was at the durian plantation only. Q: How did you know that Ta Muth had told his soldiers not to send the captured persons to Kampong Som anymore? A44: The unit chiefs told me that there was no need for us to send the captured persons to Kampong Som anymore because brother Division chairman had told us just finish them on site"].

D54/102 Ek Ny (Ni) WRI, A29 ["During that time, when they had arrested the Vietnamese refugees, who were traveling by boat to seek asylum in the 3rd countries, they took those Vietnamese refugees to kill in that durian plantation also. They [Khmer Rouge] called those Vietnamese refugees the piglets. They said that they took those refugees to make fertilizer for the durian trees"]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576 ["Q: Were they mostly Yuon soldiers? A: They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them, we shot them to dead"].

D114/283 Ek Ny (Ni) WRI, A4 ["Q: At that time, for the Vietnamese whom you arrested, were most of them people who smuggled piglets and who had immigrated on boats? Were there some fishermen and Vietnamese soldiers? A4: Most of them were the piglet smugglers and Vietnamese fishermen"].

See para. 498. See also **D54/36** Brak Sokha WRI, A10 ["Q: Why the Khmer Krom people were sent to that mobile unit? A10: They were accused by the Khmer Rouge that they had connection with the Yuon as they lived in Vietnam"].

D1.3.34.64 Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [reporting capture and arrest of "76 Vietnamese people – both young and old, male and female," on two boats at Koh Tang, and capture of 21 Thai people on boat at Koh Wai island]; **D54/73.1** Report of Secret Telephone Call from Meas Muth, 1 Apr 1978, EN 01098703 ["There was a total of 120 Vietnamese who were arrested and shot dead from 27 Mar to 30 March 1978"]; **D1.3.12.20** Report of Secret Telephone from Meas Muth, 12 Aug 1977 & **D1.3.34.23** Son Sen note to Angkar, 12 August 1977 [report from Muth of capture of Thai fishing boat and arrest of 4 Thai and 1 Khmer who were being interrogated]; **D1.3.8.4** Minutes of Meeting

between Son Sen and Division 164, 9 Sep 1976, EN 00657355 [reporting capture of people on two Thai fishing boats and the arrest of a lieutenant from the former regime], EN 00657356 [instructions of Son Sen to round up “soldier elements” and to “send the group of boats that came in Koh Rong Sanloem to Angkar for interrogation”]; **D1.3.27.18** Minutes of Meeting of Division Secretaries, 19 Sep 1976, EN 00195340-41 [report by Meas Muth on capture of Thai fishing boat]; **D1.3.34.28** Report of Secret Telephone from Division 164 to Meas Muth, 15 Sep 1977 [report of capture of two Thai boats and killing of people on board]; **D1.3.12.3** Report from Meas Muth to Brother 89, 22 Feb 1976 [reporting arrest of group of alleged bandits from Veal Rinh area, one of whom had been interrogated]; **D1.3.34.11** Telegram 11 from Dim to Muth, 24 Sep 1976 [reporting arrest of 5 enemies who tried to flee from Riem and Baboh sub-districts, pursuant to decision of Meas Muth. Copied to Son Sen and Nuon Chea]; **D1.3.34.12** Telegram 12 from Dim to Muth, 27 Sep 1976 [reporting arrest of 16-year-old boy who confessed to being a spy for “bandits”. Copied to Son Sen and Nuon Chea]; **D1.3.34.13** Telegram 16 from Dim to Muth, 6 Oct 1976 [describing use of children and ambush groups to “search for bandits” and “contemptible traitors burrowing within the village”. Copied to Son Sen and Nuon Chea”].

D54/23 Pak Sok WRI, A28 [“it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance”].

D4.1.754 US Department of Defence, Organization of Sector 37 and 3rd/164th Division Forced on Tang Island after the Mayaguez Incident, 18 Jul 2005, EN 00387429 [“After they captured the boat the 408th commander contacted kampong som for guidance on the disposition of the refugees the high command in kampong som ordered the commander to kill the refugees the commander and his deputy carried out the order”].

D4.1.754 US Department of Defence, Organization of Sector 37 and 3rd/164th Division Forced on Tang Island after the Mayaguez Incident, 18 Jul 2005, EN 00387429 [“After they captured the boat the 408th commander contacted kampong som for guidance on the disposition of the refugees the high command in kampong som ordered the commander to kill the refugees the commander and his deputy carried out the order”].

See section III.2. **Meas Muth’s DK Role – Secretary of Kampong Som Autonomous Sector.**

D1.3.8.3 DK Military Meeting Minutes, 3 Aug 1976, EN 00234012 [“Enemy situation: [...] b. Vietnam: Now it seems that [the Vietnamese] have not made any move. We placed a buoy two kilometers from Koh Seh as a marker they [Vietnam] came and stole it away”].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940345.

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940346 [“From an examination of my forces some 90 to 95 per cent of them are reliable, those who are loyal to the Party. But if you want unsullied faith that the army is clean it seems not yet to be clean and it is imperative to follow up with more purges”].

See **Annex D.5**. See also paras 545-546.

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 13.31.00-13.35.23 [“I actually was a soldier in Division 164. After 1976, there was a training session, and they announced clearly about the hereditary enemy of the Khmer that was ‘Yuon’. [...] The training was given at the battalion. After receiving training from the division level, the regiments and battalions opened small training sessions as well on the islands”].

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 13.36.35-13.38.32 [“We were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them. So it was the responsibility of each battalion that received exact instructions”]. See also **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576 [“Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons they killed them. Q: Where did they kill them? A: Sometimes they killed them on the Island. Q: Did not they send them to the shore? A: Sometimes they killed them on the Island. Q: Were they mostly Yuon soldiers? A: They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them we shot them to dead. A: Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division [...] The order came from Ta Mut”].

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 13.45.11.-13.47.44 [“At the level of the battalion and regiment, who went to study at the division level, they came back and gave instruction to all naval soldiers within battalions of the division”].

D1.3.12.18 Telegram 09 from Meas Muth to Brother 89 (Son Sen), 29 May 1977, EN 00233992-93.

- 402 **D114/69** Kuy Sambath WRI, A1, 9 ["One day, while I was transplanting rice to the west of Teuk Sab, which was not very far from my current house or 300 meters from here, I saw six trucks heading to the mountain to the west of Au Teuk Sab canal. I saw the trucks from a distance, so I could not see them clearly. I could hear their engines and could see the dust being blown across the road. However I could not see the trucks clearly. I did not see the killings first-hand but I knew clearly that the people had certainly been taken away to be killed. However, I knew that the same trucks returned in the afternoon. The trucks returned to Smach Daeng Cooperative, which was located behind a pagoda. The Khmer Rouge came here on those trucks to distribute clothes to the people in the cooperative. They told them to take the clothes to be used because the boats that had carried those those Kampuchea Krom people sank at sea and that all the passengers on board had drowned. We knew that this was not true and that the Kampuchea Krom people had been taken to be killed. Everyone knew this, but no-one dared to say anything. I also knew this. We did not dare to refuse to take the clothes [...] A9: This happened in April or May 1977. I remember that it happened during the dry season"]; **D114/141** Toek Sap Site ID Report, EN 01173093 ["Stage 1 The witness observed that people were loaded on six trucks in front of his house in Smach Deng under the given information that those trucks would bring villagers of Vietnamese descent Kampuchea Krom back to Vietnam. Stage 2: The witness then observed from his position on a rice farm close to Toek Sap that the same six trucks loaded with people drove across Toek Sap Bridge and would leave Highway 4 and make a turn inside the area of Toek Sap. The witness didn't see the trucks turning but heard the engine noise and saw the dust of the trucks letting him conclude that those trucks turned into the area of Toek Sap. Stage 3: On the same day the witness next observed that the luggage and clothing of the villagers he saw in the morning were distributed to the communal house in Smach Deng. The witness learned at that stage that the KR stated that those people on the trucks are all dead because they drowned on sea by travelling towards Vietnam [...] I witnessed the events at the end of 1977 and early 1978, in which they took the Khmer Rouge people and other people to be killed"].
- 403 **D1.3.34.60** Telegram 00 from Meas Muth to Office 870, 31 Dec 1977.
- 404 **D1.3.34.64** Report of Confidential Telephone Communication between Meas Muth and Brother 89 (Son Sen), 20 Mar 1978, EN 00233649 ["At Koh Tang island, on March 20, 1978 at 2.30 hours, our 800-cc motor-driven boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people-both young and old, male and female. When we tied them up, the smaller motor-driven boat was shaky and plunged. As a result, two people fell into the water and been found. The rest have been brought to the main land"].
- 405 **D54/11.1** Report of Confidential Telephone Messages between Meas Muth and the Centre, 1 Apr 78, EN 01147584 ["The total number of Vietnamese soldiers that were arrested and shot between 27 March 1978 and 30 March 1978 numbers 102". Copied to Pol Pot, Nuon Chea, and Ieng Sary]; **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357 ["in sum, the number of Yuon who have been captured and shot to death from 27 March 1978 through 30 March 1978 is 120 head". Copied to Pol Pot, Nuon Chea, and Ieng Sary].
- 406 **D54/71** Mut Mao WRI, A60 ["This event happened at the end of 1978, around two or three months before the arrival of the Vietnamese"].
- 407 **D54/71** Mut Mao WRI, A56, 59 ["I saw three Yuon being walked: one old lady and two adolescents perhaps over ten years old. That old lady was killed about 30 metres from my house; the two adolescents were killed about 100 metres from my house [...] Q: How old was that old Vietnamese lady? A59: She was almost 70 years old"].
- 408 **D54/71** Mut Mao WRI, A39 ["One night, I saw them take an old Yuon lady and two or three children to be killed in the Inner Office compound. Those children were crying and screaming"].
- 409 **D54/71** Mut Mao WRI, A61 ["Q: Did you know where they brought those Yuon from? A61: No, I did not, but as I heard from those messengers, those Vietnamese had been captured along with their boat from the sea"].
- 410 **D54/71** Mut Mao WRI, A53, 56, 63-65 ["Q: How far from the house you were staying to Meas Mut's house? A53: They about 50 to 60 metres apart. First was his house; next was the kitchen; and then the house I stayed at. [...] I saw the soldiers walking them one at a time. I saw three Yuon being walked: one old lady and two adolescents perhaps over ten years old. That old lady was killed about 30 metres from my house; the two adolescents were killed about 100 metres from my house [...] Q: Did they use that place for killing other people? A63. No, to my knowledge, they did not kill any other people at that place. Q: You said that they killed the old Vietnamese lady at about 30 metres from your house. Did you ever go to see that pit afterwards? A64: Because that place was 30 metres behind my house, I remember that I went there and saw

two or three pits. Q: Could you see if those pits were mass graves or individual graves? A65: Each pit was small for individual corpses. I saw only two or three pits near the jackfruit and mango trees”].

See **Annex D.5**. See also para. 548.

Total number of individuals identified as Vietnamese in the OCIJ S-21 Prisoner List is 517 (**D114/230.1.1**). Of those, 188 were sent to S-21 by Division 164: see **Annex D.5** [six names that were not included in the OCIJ S-21 Prisoner List have been added to Annex D.5].

D114/24 Ou Dav WRI, A87-91 [“We sailed close to their boat and then jumped onto the Thai fishing boat. Then we pointed our guns at them. If they had fought back, we would have shot them dead. Q: What happened next? A88: After we captured their boat, piloted their fishing boat into our Cambodian waters at Kampong Som Port, Meas Muth's place. Q: During the training, did you receive orders to capture foreign boats which entered Cambodian waters? A89: Yes. During the training course, they told us that if any foreign boat entered our waters, we had to capture it. Q: Who gave the order to capture the boats? A90: The upper echelon. Q: How did you know about this? A91: I learned about orders from the upper echelon when the battalion called the company and platoon commanders to attend meetings. During the meetings, they said the order came from the Party, meaning the upper echelon. ‘The Party’ referred to Meas Muth”].

D114/27.1.5 DK Military Meeting Minutes, 19 Sep 1976, EN 00183970, KH 00052389-01 [“More and more Thai came to fish in our maritime territory. They came in a line of about 100 to 150 fishing boats. They mostly came in the vicinity of Koh Kong and Koh Trang. On 11 September we caught one fishing boat with an 50 cc engine”].

D1.3.12.20 DK Report from Meas Muth to Khieu (Son Sen), 12 Aug 1977, EN 00233972, KH 00020912 [“Yesterday on August 11 1977 when operating a patrol we caught two machine boats, 350-horse and 175-horse. The latter carried five people with no fishing equipment. They were arrested 2 kilometers from Koh Kong. Later we questioned them”].

D1.3.12.20 DK Report from Meas Muth to Khieu (Son Sen), 12 Aug 1977, EN 00233972, KH 00020912-00020912 [“[Handwritten annotation in left margin:] To Angkar: (1) We ask to find inside networks (2) Find the entry and exit. (3) Traitorous elements along the border”].

D54/11.1 DK Report of Confidential Telephone Messages between Meas Muth and the Centre, 1 Apr 78, EN 01147584 [“The total number of Vietnamese soldiers that were arrested and shot between 27 March 1978 and 30 March 1978 numbers 102. During this period, we also confiscated five motor boats of between 10- and 37-ph engines, and a number of guns, including an M79, and other military materials. We failed to release the Thai prisoners as scheduled because some of their names did not correspond to the list given to our agents. Not the entire names but only the end of the names were spelled incorrectly. We could not contact each other for advice because the radio did not work. Based on the information in the telegram from Comrade Launh and because of the slow transmission of messages, the handing over of the Thai soldiers was delayed until 31 March 1978 at 8.00 p.m. The agents were the chief of Khland Yai District and a member of the rece group. The Thai agents gave our comrades three cartons of cigarettes] and a bottle of palm oil”. Copied to Pol Pot, Nuon Chea, and Ieng Sary].

D54/102 Ek Ny (Ni) WRI, A29, 41-44 [“West of the coconut plantation, at the foot of the mountain, was the location of the durian plantation where Ta Muth had taken the Thai people to kill and then buried the dead bodies under the durian trees as the fertilizer. If any Thai people want to look for the bones of their relatives now, they can go to look for them in that durian plantation. After they [Khmer Rouge] had captured two 1,400 horsepower and one 1,800 horsepower fishing boats of the Thai, they took all the Thai fishermen to kill in that place. During that time they used the minesweeper ship, which was very fast, to chase and capture the Thai fishing boats. That ship was as very fast as an airplane. During that time, when they had arrested the Vietnamese refugees, who were traveling by boat to seek asylum in the 3rd countries, they took those Vietnamese refugees to kill in that durian plantation also. They [Khmer Rouge] called those Vietnamese refugees the piglets. They said that they took those refugees to make fertilizer for the durian trees [...] A41: At the beginning, whenever we had captured any Vietnamese and or Thai, we sent them to Ta Muth in Kampong Som. But later on, Ta Muth ordered us not to waste gasoline to transport them to Kampong Som anymore. He told us that we should make them as fertilizer for the coconut trees on the Island. Each corpse was cut into two pieces, and one piece was buried under one coconut tree as fertilizer. Q: Did you see with your own eyes any corpse which had been cut into two pieces? A42: No, I did not see while they were cutting the corpse, but everyone knew about this story because the rotten smell was strong in the area and the sign of dead body swelling out from under the young coconut trees. Q: You said that after the Vietnamese and Thai had been captured, they were sent to Ta Muth in Kampong Som. Can you explain what do you mean by

saying that? A43: Any persons who had been captured by the navy forces must be sent to Ta Muth in Kampong Som, and we heard at that time that those captured persons were all ended up in the durian plantation. During that time the killing place of Division 164 was at the durian plantation only. Q: How did you know that Ta Muth had told his soldiers not to send the captured persons to Kampong Som anymore? A44: The unit chiefs told me that there was no need for us to send the captured persons to Kampong Som anymore because brother Division chairman had told us just finish them on site”].

D118/207.2 Report from Dim to Brother 89 (Son Sen) and Brother Mut (Meas Muth), 15 Sep 1977 [“For the two Thai boats that came close in our water boundary, close to our islands, I sailed our ships and could capture both, one of which was the 300 HP and the other one was 400 HP. For the boat that we captured in the South of Koh Kong, there were two Kolaing, some fish and oil. Most of the people on the boat had jumped into the water to escape. Our fellow Comrades smashed the rest” (*emphasis added*)].

See **VIII.B.4. Meas Muth’s Orders Regarding Thai Nationals; VIII.B. Crimes Committed Against Those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea; VIII.F. Ream Area Worksites.**

See **Annex D.6. See also VIII.D. S-21 Security Centre; III. Meas Muth’s Role and Responsibility.**

D54/16/1R Meas Muth Audio Interview with David Kattenburg, 2009, 43:52-46:09.

See **Annex D.7.**

D98/3.1.93 Kaing Guek Eav alias Duch, T. 15 Jun 2009, 10.11.25-10.14.20 [Westerners sent to S-21 were “arrested by the navy officers of Division 164, and they were sent through Kampong Som”]; **D234/2.1.113** Prak Khan, T. 28 April 2016, 09.44.37-09.47.53 [“There were Vietnamese, American and Australian prisoners whom I used to see”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147526-27 [Caucasians detained and executed at S-21 had “entered Cambodian waters, and the naval unit arrested them and sent them”]; **D1.3.33.4** Kaing Guek Eav alias Duch WRI, EN 00198221 [“Q: Did the Minister of Foreign Affairs know about the arrest of the four foreigners whose bodies were burned? I do not think so, Son Sen sent two of them and Nuon Chea sent the two others”]; **D4.1.742** Nhem En WRI, EN 00401827 [former S-21 cadre photographed “people of other nationalities brought in from the sea” who were “big, had sharp nose” and beards]; **D114/302** Kung Pai WRI A73-85 [describing two American prisoners brought to S-21 in 1978 who were interrogated by Duch and taken out for execution after their interrogation, and identifying photographs of prisoners]; **D114/301** Chhun Phal WRI, A62-69; **D114/132** Mao Ran WRI, A196-199 [describing yacht captured by DK navy]; **D2/15** Touch Soeuli WRI, A1-8 [describing foreigners brought to Ochheuteal pier by Division 164 soldiers]; **D37** Robert Hamill WRI, EN 00791867 [admission of Meas Muth that foreigners arrested at sea were “transferred to S-21”]; **D88.1.17** David Kattenburg, *Foxy Lady: Truth, Memory & the Death of Western Yachtsmen in Democratic Kampuchea*, EN 00916182 [summarising Stony Beach interviews of former Division 164 cadres re capture of foreign yachts].

See paras 457-459; **D54/48** Em Sun WRI A17-19 [“Q: What did Meas Mut command? A17: He commanded Tak to take a B.E motorboat carrying the soldiers of Battalion 410 to Koh Tang Island in order to alternate with my battalion; then he had to ship the two American soldiers and my battalion back to the shore. Q: Was that command from the division commander, Meas Mut? A18: The radio operators called Meas Mut Om. They said that this command was from Om. Q: When the division commander, Meas Mut, was absent, could anyone else use the radio number 63 or Om? A19: In case that Meas Mut was absent, Tim Seng or Nget took responsibility on his stead, but they had their own radio number. Meas Mut had the radio number 63”].

D4.1.94 CPK Standing Committee Meeting Minutes, 8 Mar 1976, EN 00182634 [Pol Pot: “Our vigilance must be even higher”]; **D4.1.195** Nuon Chea, Statement of the Communist Party of Kampuchea to the Communist Workers’ Party of Denmark, Jul 1978, EN 00016997 [“Cadres are also instructed in revolutionary vigilance, that is, taking care to be on guard against the enemy”]; **D4.1.986** Khieu Samphan Speech, 15 Apr 1977, EN 00419513 [“We must wipe out the enemy in our capacity as masters of the situation... Everything must be done neatly and thoroughly ... 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”]; **D4.1.177** Report from Working with the Committees of Every Unit, 12 Sep 1977, EN 00355487-88 [Ieng Sary: “We must raise revolutionary vigilance really high”]; **D114/27.1.8** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195352 [Son Sen: “We must indoctrinate the view of revolutionary vigilance to attack enemy trickery”]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940344 [Son Sen: “Concretely operationalizing revolutionary vigilance means having a firm grip on our units of organization, ensuring that the enemy is unable to bore from within, and doing whatever needs to be done to ensure that our

army is clean”]. EN 00940350 [Division 502 Secretary Sou Met: “This experience proves that our Party has a solid grip on things and a stance of constant vigilance. [...] [Division 164 Secretary Meas Muth] “This lesson has strengthened another degree the standpoint of revolutionary vigilance”].

D234/2.1.14 Thet Sambath, *Behind the Killing Fields*, EN 00757526.

D4.1.1112 Kaing Guek Eav alias Duch WRI, EN 00185475 [“I was the Chairman of M-13 from 20 July 1971 until 1 January 1975”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147525 [confirming the perpetration of torture before S-21 in “Office 13” before 20 July 1971]; **D98/3.1.214** Phan Chhen WRI, EN 00490542 [witness stating that the Krang Ta Chan office, used to interrogate prisoners, was opened in 1972]; **D4.1.785** Pech Chim WRI, EN 00380132-33 [witness stating that the Krang Ta Chan office was opened in 1972].

See VIII.C. Division 164 Security Centres.

D98/3.1.79 Kaing Guek Eav alias Duch, T. 7 Apr 2009, 14.03.10-14.06.09; **D98/1.2.15** Kaing Guek Eav alias Duch, T. 19 Mar 2012, 15.40.48 [“Vorn Vet himself instructed me the way to torture”], 15.52.49-15.55.05 [Duch instructed subordinates how to interrogate and torture in training sessions], 15.55.05-16.00.37 [“this police work was passed on by the culture of the Party ... this model had been left over from Issarak, and it was applied also at S-21”]; **D4.1.1115** Kaing Guek Eav alias Duch WRI, EN 00147603-05; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147521, 00147525 [“Vorn Vet was the person who trained me”]; **D4.1.346** Mam Nai WRI, EN 00162910 [“Q: Who was at the upper level then? A: At Amleang, the Zone Chairman was Van Vet”].

D234/2.1.28 *Revolutionary Flag*, Jul 1973, EN 00713998-99, [“If the spies are arrested to be executed in the meeting before the people, some people may be frightened of us [...] The stance to smash the spies is correct but it is inappropriately carried out”].

D54/16/1R Meas Muth Audio Interview with David Kattenburg, 2009, 42:46-43:50.

D54/98 Heang Ret WRI, A137 [“Q: In your interview with the Documentation Center of Cambodia, on page 56 in English and page 57, you said, ‘There was a Division Correctional Office.’ Can you clarify the location of that correctional office? A137: It was located at Tuek Sab”].

D54/7 Dol Song WRI, A13 [“Q: But on this point how did you know that this Special Battalion was under the direct command of the Division Commander? A13: How could I not know? I knew very well that this Special Battalion was under direct command of the Division. It was not under the command of any regiment. Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division. *See also* **D54/98** Heang Ret WRI, A12, 92 [“some soldiers [in Battalion 450] were sent to defend different places in Kampong Som. Some were sent to defend the coast [...] and Wat Enta Nhien pagodas. Q: Do you know who supervised the security office [Wat Enta Nhien Pagoda] in that pagoda? [...] A92: I know that the security office was supervised by the messenger(s) of Battalion 450”]; **D2/15** Touch Soeuli (Touch Soeuly) WRI, A23-24, 30 [“this unit 450 was assigned to be in charge of the security matters. [...] A24: It was not only for the place in Wat En Ta Nhien Pagoda, but it was the security unit of the Division 164 for the entire Kampong Som town. [...] Q: At the time [1977] you went inside Wat En Ta Nhien Pagoda, were the guards there the troops of Battalion 450? A30: Yes, they were”]. *See further* **D114/187** Touch Soeuli (Touch Soeuly) WRI, A57-58, 106-108 [“Q: When you were interviewed in 2010, in Answer 23 D2/15 you said that, after the fighting ended, Battalion 450 was sent to be in charge of security. Can you tell us what that means? A57: It is quite similar to what I have told you, that is, one number was on Koh Poulo Wai Island; another number went to the Navy; and some others were made to go be a security unit. Q: What all security affairs did Unit 450 have to sort out? A58: [...] I know that in perhaps late 1976 or early 1977, they were in charge of the security and public order side of things. However, I do not know about their duties and responsibilities. [...] Q: Were soldiers in Division 164 afraid of Battalion 450 when it took charge of security and other locations such as Wat Enta Nhien Pagoda? A106: In 1977, if we saw that unit of organization going anywhere, we worried that problems would occur there, but we were not afraid. Q: Was Battalion 450 always sent to places where there were problems or not? A107: We merely knew that in 1977 that this 450 unit of organization was a security unit, a security or squad. Thus, if we saw them anywhere, it was for sure that there were problems there. Q: Do you remember whether there were other security units or not? Or was there only Battalion 450? A108: It seems like I did not hear about any other units of organization; because there was only the 450 unit of organization squad”].

D2/15 Touch Soeuli (Touch Soeuly) WRI, A12-14, 18 [“In the night of 17 April, my unit 420 retreated to take break in Ang Snuol. At that time because my commander Sar Samoeun had been wounded, I [left the special unit] and returned to stay with my old unit, the Battalion 420. Next morning, on 18 April, the

Battalion 420 and the special unit were sent to Kampong Som town. The Battalion 420 was sent to station in Ream and the special unit was sent to Kampong Som. After my commander, Sar Samoeun, had been recovered from his wound, he was sent to command his special unit in Kampong Som again. At that time he came to take me from Ream to stay with him in Kampong Som. [...]. Q: In which room did Ta Moeun [Sar Samoeun] stay and in which room did you stay? A18: At that time, the commander, the medic, the radio operator, and the messenger stayed next to each other". See also **D114/187** Touch Soeuli (Touch Soeurly) WRI, A7, 11, 36 ["Q: In your previous interview, you said that your commander was named Samoeun. Is it correct that Samoeun was the commander in the special unit of organization that was under Big Division 164? A7: I stayed with Sa Samoeun, who was indeed the commander in Division 450 subordinated to Big Division 164, because when we left from Phnom Penh, left from Angk Snuol for Kampong Som, we received information about changing the name of the division had been changed and the division not being subordinated to the Southwest Zone anymore [...]. A11: Sa Samoeun was the commander in Battalion 450, and so therein were four companies subordinated to unit 450 [...]. A36: I stayed with Sa Samoeun, the commander"]; **D54/46** Em Sun WRI, A27 ["Probably in March 1975, I was transferred [...] to a special battalion, Battalion 450 in Division 3. Moeun was the Chief"]; **D54/10** Meu Ret WRI, A22, 27 ["As for Moeun, he was the former commander of a Special Unit under Meas Mut and the commander of Battalion 141 of Regiment 140 [...]. Q: To your knowledge, did Moeun ever serve as the commander of Battalion 450 of Division 3? A27: Yes, he did"]; **D54/7** Dol Song WRI, A8, 13 ["Moeun was the Political Chairman of the Special Battalion [of Division 3] [...]. A13: Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division"].

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D2/15 Touch Soeuli (Touch Soeurly) WRI, A27, 33 ["Q: In 1977 you went inside Wat En Ta Nhien Pagoda for a short while and saw the prisoners there. Can you describe in more details what you saw there? A27: Yes. A33: Based on my knowledge, Ta Norn was in charge of the security unit at that time"]. See also **D114/187** Touch Soeuli (Touch Soeurly) WRI, A43-44, 59, 61 ["Q: In your previous interview, you said that Ta Norn was the person in charge of Wat En Ta Nhien Security Office. Is that correct? Was Ta Norn also a soldier in the 450 unit of organization? A43: Ta Norn was a person who in the old days had been in the 450 unit of organization. He had been a commander of a company subordinated to the old 450th. However, when we went to the Navy, he did not go to the Navy. Q: Was Sa Samoeun Ta Norn's chief? A44: Yes. [...] A59: I remember only Bang Norn who was the person in charge. And then Bang Norn was also not able to remain there the whole time. In late 1978, even he disappeared due to the fact it was heard that he was connected to involvement in raping prisoners. However, I do not have clear knowledge of this matter, although I heard that he was involved in raping prisoners and releasing prisoners. And these persons called prisoners were in fact not at fault for anything, and once they had been released, they did not go anywhere. They lived near their units of organization; they did not go anywhere [...]. A61: I know there were remnants of the 450 unit of organization led by Ta Norn who took charge of security"].

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D2/15 Touch Soeuli (Touch Soeurly) WRI, A20-21 ["It was the Battalion 450 or the special unit of the Division 164. Q: You told us yesterday that Battalion 450 was not subordinate to any regiment, but it was the special unit of the Division 164, is it correct? A21: Yes, it is correct"]; **D114/187** Touch Soeuli (Touch Soeurly) WRI, A7, 9, 47-49 ["I stayed with Sa Samoeun, who was indeed the commander in Division 450 subordinated to Big Division 164 [...]. Q: So is correct that means that Battalion 450 was no longer under a regiment anymore in other words that it was situated under Big Division 164? A9: The 450 unit of organization was a unit of organization belonging to a battalion that was set up there on 11 or 12 April and that was the special unit of Division 3 there. [...] A47: Unit 450 was a division special unit. Q: Was Battalion 450 what they sometimes called a defence unit? [...] A48: No, it was not. It was a combat unit, a special combat unit. These persons were the most special of all for doing straightforward combat. Q: So it means they got the best training and best equipment? A49: Yes"]; **D54/98** Heang Ret WRI, A11 ["Q: What was the mission of Battalion 450? A11: Battalion 450 was called the special unit"]; **D54/7** Dol Song WRI, A10, 13 ["This Special Battalion was not under the command of any regiment. It was under the command of the Division [3/164]"]. [...] A13: [...] I knew very well that this Special Battalion was under direct command of the Division. It was not under the command of any regiment". See also **D54/46** Em Sun WRI, A27, 31 ["Probably in March 1975, I was transferred [...] to a special battalion, Battalion 450 in Division 3. Moeun was the Chief. [...] A31: [...] In a meeting, [Meas Muth] announced that Battalion 450 was the special battalion under Division 3's authority. He also added that we had to get ready for liberating Phnom Penh in February 1975"]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A19 ["The persons came to arrest them were

the guards of the security unit 450. I did not know how the arrests were made, but I knew that the arrests took place continuously”].

438 **D54/101** Ek Ny WRI, A10 [“Those soldiers, who were arresting him, were from the Special Unit of Ta Mut. They were like Ta Mut’s bodyguards and also known as his right hand unit”]; **D54/102** Ek Ny WRI, A14, 20 [“The Special Unit was like the bodyguard unit. It was the unit trusted by the leader. [...] Q: Other witnesses had told us that Meas Muth had a bodyguard unit and also a messenger unit. We do not understand about the differences between these two units. Was this only one same unit? A20: It is the same unit”]; **D54/103** Ek Ny (Ni) WRI, A15 [“In that special unit there were also Meas Muth’s bodyguards who followed and protected him everywhere”]. *See also* **D54/7** Dol Song WRI, A11 [“This Special Battalion was responsible for protecting the leaders of the Division and arresting people who committed mistakes. [...] the Special Battalion was instead used to protect leaders of the Division and to arrest those who committed mistakes”].

439 **D54/10** Meu Ret WRI, A28 [“Q: How did Meas Mut use Battalion 450? A28: During the war, he always sent this Special Unit to the tensest battlefields”]; **D54/87** Prum Sarat WRI, A94 [“It [Battalion 450] was the defence unit”]; **D54/7** Dol Song WRI, A11 [“This Special Battalion [of Division 3/164] was under the command of the Division Commander or Political Chairman. This Special Battalion was responsible for protecting the leaders of the Division and arresting people who committed mistakes. At that time, the country was already in peacetime; the Special Battalion did not need to go to war. Therefore, the Special Battalion was instead used to protect leaders of the Division and to arrest those who committed mistakes”].

440 *See* **VIII.C.3. Wat Enta Nhien Security Centre.**

441 **D54/30.1** Soem Ny (Ni) DC-Cam Statement, EN 01070563, FR 00976267, KH 00964137 [“Yes! Only Mut was in charge and made the decisions there [Wat Enta Nhien Pagoda]”]; **D114/66** Chet Bunna WRI, A14 [“Q: Did you ever hear about a place called Wat Enta-nhean Pagoda also known as Wat Kroam? A14: Yes, it was the prison of the Division 164 of Ta Mut. Later on they moved it to Teuk Sap.”]; **D54/102** Ek Ny (Ni) WRI, A6 [“Wat Enta Nhien Pagoda was the security center and detention center of Division 164 under Meas Muth”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“The detention facility was under the 1st Division, led by Meas Mut who was in charge of the city”].

442 **D54/98** Heang Ret WRI, A93-94 [“Q: Who was the commander of Battalion 450? A93: Sa Moeun was the commander of Battalion 450. Q: Whose command was SA Moeun under? A94: Sa Moeun had to report directly to Division 164, Meas Muth”]. *See also* **D114/187** Touch Soeuli (Soeurly) WRI, A47 [“Q: When Sa Samoeun was in charge at the 450 unit of organization, did he receive orders from Meas Muth personally? A47: Unit 450 was a division special unit; therefore, it might well have received orders from him personally”].

443 **D114/286** Heang Ret (Reth) WRI, A35-38 [soldier from Battalion 450 describing a meeting in Kampong Som in 1975, at which Meas Muth made a number of announcements to attendees including members of Battalion 450]; **D54/7** Dol Song WRI, A13 [“Q: But on this point how did you know that this Special Battalion was under the direct command of the Division Commander? A13: How could I not know? I knew very well that this Special Battalion was under direct command of the Division. It was not under the command of any regiment. Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division. Whenever there was a meeting, all the regiment commanders were invited, and Moeun was also invited to attend the meetings”]; **D54/38.1** Lun Seng DC-Cam Statement, EN 01072392-3 [“Q: Later, was there a meeting with the Zone Committee, the division, and Ta Mut about the events? Were you ever called to such a meeting? A: No, I did not attend any meeting. Moeun did. He was the unit chief. He reported about the battle. We had already prepared a report for him [to present] [...] he went to attend meetings and receive assignments from division headquarters”].

444 **D54/49** Em Sun WRI, A48 [“When I joined the division, I reported directly to Meas Mut because there was no regiment between by Battalion 450 and Meas Mut. I reported to Meas Mut about the result of Meas Mut’s orders. During that time there was no official reporting system. Generally the report was done via two way radio or messengers”].

445 **D54/30.1** Soem Ny (Ni) DC-Cam Statement, EN 01070558 [“Mut assigned Ta Launh to supervise it, but Ta Launh did not interrogate or record the statements. Q: Who did it then? A: Meas Mut did that. Ta Launh was only responsible for the supplies. Q: Did he provide the food supplies? A: Yes! Q: But the interrogator and the person who sent [the people] away was Ta Mut? A: Meas Mut was the person who sent them away. Q: You knew that at the time? A: Yes”], 01070563 [“Yes! Only Mut was in charge and made the decisions there [Wat Enta Nhien Pagoda]”].

- 446 **D54/88** Soem Ny WRI, A12-16, 17-18 ["I was working in the bean plantation. There was nothing blocking my view. I saw Meas Mut twice. Meas Mut travelled in an A2 Jeep headed to Wat Enta Nhien Pagoda. He travelled along the road that we were on this morning when we were identifying different sites. Meas Mut transported food in his jeep for the guards at Wat Enta Nhien Pagoda. His Jeep stopped at the guard house to deliver the food to the guards. Q: How often did Meas Mut go to Wat Enta Nhien Pagoda? A13: As far as I know, he went to Wat Enta Nhien Pagoda once a month to bring food for the guards. He went there once a month after he returned from the meeting at Stueng Hav [...] A14: I believe I saw Meas Mut transport food for the guards at Wat Enta Nhien once a month. Q: How could you have seen Meas Mut take food to the guards at Wat Enta Nhien Pagoda when your plantation was so far from the pagoda? A15: I learned from two guards at Wat Enta Nhien Pagoda that Meas Mut brought food for them. Q: Was the food for the guards or for the prisoners? A16: I did not know. Q: Are the two guards still alive? What are their names? A17: One of them was Sari and the other was Koy. I did not know their family names. I have been separated from them since 1977. Q: Did you know what Meas Mut did inside Wat Enta Nhien Pagoda? A18: I saw Meas Mut travel by car to Wat Enta Nhien Pagoda twice, but I did not know what he did inside Wat Enta Nhien Pagoda"].
- 447 **D54/32** Soem Ny WRI, A38 ["I think Ta Mut came to see the persons in authority, and to examine the situation at Wat Enta Nhien Pagoda, and so did Ta Launh"].
- 448 **D54/88** Soem Ny WRI, A12-16, 17-18 ["I was working in the bean plantation. There was nothing blocking my view. I saw Meas Mut twice. Meas Mut travelled in an A2 Jeep headed to Wat Enta Nhien Pagoda. He travelled along the road that we were on this morning when we were identifying different sites. Meas Mut transported food in his jeep for the guards at Wat Enta Nhien Pagoda. His Jeep stopped at the guard house to deliver the food to the guards. Q: How often did Meas Mut go to Wat Enta Nhien Pagoda? A13: As far as I know, he went to Wat Enta Nhien Pagoda once a month to bring food for the guards. He went there once a month after he returned from the meeting at Stueng Hav [...] A14: I believe I saw Meas Mut transport food for the guards at Wat Enta Nhien once a month. Q: How could you have seen Meas Mut take food to the guards at Wat Enta Nhien Pagoda when your plantation was so far from the pagoda? A15: I learned from two guards at Wat Enta Nhien Pagoda that Meas Mut brought food for them. Q: Was the food for the guards or for the prisoners? A16: I did not know. Q: Are the two guards still alive? What are their names? A17: One of them was Sari and the other was Koy. I did not know their family names. I have been separated from them since 1977. Q: Did you know what Meas Mut did inside Wat Enta Nhien Pagoda? A18: I saw Meas Mut travel by car to Wat Enta Nhien Pagoda twice, but I did not know what he did inside Wat Enta Nhien Pagoda"].
- 449 **D54/103** Ek Ny (Ni) WRI, A11 ["During that time, the information about the arrest of the leadership of Unit 386, such as Rem, the commissioner who was shot on his head in front of Wat En Ta Nhean Pagoda"]; **D54/101** Ek Ny (Ni) WRI, A11 ["Ta Mut at that time even used that story along with the confessions of some of the arrested [cadres] to teach us in the meeting. He read the confessions and the story to us and announced that those confessed persons had been in the traitor string"].
- 450 **D114/66** Chet Bunna WRI, A19 ["When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy"]; **D114/156** Soeng Noch WRI, A137-8, 146, 249 ["Q: At Tuek Sap, were there any buildings or halls? A137: There was a regiment building. Q: Which regiment was it? A138: Regiment 63 [...] Q: What was Tuek Sap? Was it a cooperative, security office, or headquarters of the regiment? A146: It was a security office [...] Q: Do you know where Regiment 63's headquarters was? A249: At Tuek Sap"]; **D54/41** Or Saran WRI, A21 [Regiment 63 headquarters located in Toek Sap]; **D114/77** Svay Sameth WRI, A20 ["Q: Of the regiments under Division 164, which one had jurisdiction over Teuk Sab Sector? A: Regiment 63 did"]; **D114/115** Svay Saman WRI, A8 ["Tuek Sab was under Regiment 63, Division 164"]. *See also* Son Sen's order to Division 164 in respect to Toek Sap area, demonstrating that this area was under Division 164 control: **D114/27.1.5** DK Military Meeting Minutes, 19 Sep 1976, EN 00183980 ["Division 164 must stop water from flowing from the foot of the mountains and Prek Toek Sap small stream without fail must make a basin"].
- 451 **D114/156** Soeng Noch WRI, A137-A38, 146, 249 ["Q: At Tuek Sap, were there any buildings or halls? A137: There was a regiment building. Q: Which regiment was it? A138: Regiment 63 [...] Q: What was Tuek Sap? Was it a cooperative, security office, or headquarters of the regiment? A146: It was a security office [...] Q: Do you know where Regiment 63's headquarters was? A249: At Tuek Sap"]; **D54/41** Or Saran WRI, A21 [Regiment 63 headquarters was located in Toek Sap].

452 **D114/115** Svay Saman WRI, A5 [“Q: Can you tell us who the prison chairman was? A: Nhen, but I do not know his surname. Nhen was my older brother-in-law, but he has already passed away. Nhen was the husband of my elder sister”]; **D114/116** Svay Saman WRI, A47 [“When you left Teuk Sab in 1977, was Nhen still in charge of the prison at Teuk Sab? A: Yes, he was. He was still in charge of the prison at Teuk Sab”].

453 See **VIII.C.4. Toek Sap Security Centre**.

454 **D1.3.12.3** Telegram from Meas Muth to Brother 89 (Son Sen), 22 Feb 1976, EN 00233903 [“Enemy situations according to the responses of the one arrested east of Toek Sap the seven persons arrested at Sangvav belonged to his group. Therefore this is group of the dacoits who are hiding out in vicinities west and north of Veal Rinh and who are do work among the masses in the grassroots in Veal Rinh”].

455 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940340 [Comrade Dim (Meas Muth present) “We seized a 13 year-old girl in the vicinity of the fresh water (Toek Sap) area. She confessed that she was among a group of three, who are probably staying at Ou Phos now”].

456 **D114/116** Svay Saman WRI, A11 [“Meas Muth came to Teuk sab roughly once every four or five months. My subordinates told me he came”].

457 **D114/116** Svay Saman WRI, A5-8 [“I saw him coming [to Teuk Sab] occasionally [...] A6: I saw Meas Muth, the Division 164 Commander [...] A7: I saw him coming by car. I saw him in the car; then he went down to the port at the edge of Teuk Sab Tributary [...] A8: It was the Chinese Jeep”].

458 See **VIII.D. S-21 Security Centre – 4. Meas Muth’s Responsibility for Prisoners Sent to S-21**. See also **D54/20** Sam Saom WRI, A10-12 [Toek Sap prisoner was “under the command of Division 164 Commander Meas Mut [...] some prisoners sent to Toek Sap “temporarily before being sent to Phnom Penh”].

459 **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”].

460 See **VIII.D. S-21 Security Centre**. See also **D114/230.1.1** OCIJ S-21 Prisoner List.

461 See para. 168.

462 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.43.54-15.45.08 [“Huy was the member of S-21”].

463 **D1.3.33.3** Kaing Guek Eav WRI, EN 00147519 [prior to March 1976, Nath was “overall Chairman who decided all work”]; **D4.1.346** Mam Nai WRI, EN 00162912; **D4.1.387** Pen Heng WRI, EN 00163695.

464 **D1.3.27.10** DK Military Meeting Minutes, 2 Aug 1976, EN 00183960; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195344; **D1.3.27.19** DK Military Meeting Minutes, 30 Sep 1976, EN 00184822 [report by S-21 representative].

465 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933834-35.

466 See para. 100.

467 **D114/277.5** Kaing Guek Eav alias Duch, T. 14 Jun 2016, 14.34.51-14.36.39 [“When enemies implicated certain individuals at the zone level, the upper echelon sent those confessions to the particular zone for review”]; **D98/1.2.6** Kaing Guek Eav alias Duch, T. 27 May 2009, 09.33.54 [“the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would -- selected some of the names from those from Division 502”], 09.57.12-10.00.15 [“The confessions I gave to Son Sen were read and considered by him [...] then asked Sou Met to come and work with him to see which were to be selected, and then they worked together”], 10.34.00 [“Normally I grasped the situation I annotated on the letter and sent to Son Sen, my superior, who called the chief of the unit, for example, Division 502 then Sou Met would be called to sit down and decide together [...] So the decision was made in the framework of the division level and S-21 was not playing a role in such a decision”]; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932 [“The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons”]; **D4.1.860** Kaing Guek Eav alias Duch WRI, EN 00403918-19 [“In practice, when a person was implicated in a confession, the superiors informed the head of the unit”]; **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”]; **D4.1.1156** Kaing Guek Eav alias Duch WRI, EN 00205162 [“Either the superior (i.e. Son Sen) and then Nuon Chea noticed that people were implicated in the confession, he would then summon the head of the unit – in that case Ieng Thirith – to mak the decision; or, a second possibility, a problem would arise within the unit, in which ase the head of the unit would report to the superior who would then decide on the arrest by sending me the report by the head of the unit”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680799 [“before making any decisions, Son Sen always asked for comments and assistance from the heads of the

divisions”]. *See also* **D98/1.2.33** Sao Sarun, T. 7 Jun 2012, 11.09.11-11.12.30 [confirming that as Sector 105 Secretary, he received a telegram from Pol Pot informing him that the confession of a Sector 105 official had identified “Comrade Sot” as a traitor]; **D4.1.578** Telegram 54 from Sarun to Respected Brother, 23 Apr 1978 [telegram from Sector 105 Secretary discussing the arrest of Sot, who was “implicated in the confession of the traitor A Chuon”]; **D98/3.1.20** Chhaom Se, T. 11 Jan 2013, 15.28.00-15.38.48 [testimony of Division 801 security chief that after Division Secretary Saroeun received confessions from Phnom Penh containing the “names of people who had been implicated,” decisions were made on “whether the person should be arrested or disciplinary actions shall be taken”] *confirming* **D4.1.805** Chhaom Se WRI, A6 [“Those confessions [...] were first sent to Ta Sau Saroeun, then forwarded to the units of those prisoners so that they could arrest them and sent them to Au Kanseng Security Center directly”]; **D98/3.1.221** Rochoem Ton alias Phy Phuon, T. 30 Jul 2012, 11.36.45-11.44.44 [testimony of MFA Security Chairman that Ieng Sary received annotated confessions from Office 870 implicating people as “KGB or CIA”] *confirming* **D4.1.241** Rochoem Ton alias Phy Phuon WRI, EN 00231411 [“the names of those implicated were sent to Uncle Ieng Sary for him to clarify and tell them who those persons were”]; **D98/3.1.198** Suong Sikoeun, T. 7 Aug 2012, 09.26.23-09.29.27 [confirming Ieng Sary read from confessions]; **D98/3.1.244** Suong Sikoeun, T. 20 Aug 2012, 11.34.17-11.36.35 [testifying that he was called to Ieng Sary’s office and told he had been implicated in a confession]; **D4.1.835** Salot Ban WRI, EN 00361013-14 [confirming that S-21 confessions were sent to the Ministry of Foreign Affairs]; **D4.1.443** Ham Ansi WRI, EN 00250750 [Sector 105 military chief received from the Party Centre copies of S-21 confessions of Division 920 soldiers that “implicated persons they knew”].

468 **D234/2.1.55** S-21 Confession of Hoeng Doeun alias Dim, EN 00224085, KH 00162140 [Son Sen 8 May 1977 annotation on confession of Division 164 Deputy Secretary: “Though some are the right people, some others, whom I have known, are not. I will invite comrade Mut to check this together”]; **D234/2.1.54** S-21 Confession of Kun Dim, 21 Jul 1977, EN 00822359, KH 00175293 [Son Sen note: “Division 164 of Comrade Mut are mentioned [...] Contact Comrade Mut so that he can take measures. We have already basically removed all those on Comrade Mut’s side”]; **D4.1.766** Kaing Guek Eav alias Duch WRI, EN 00398210 [identifying Son Sen annotations on Hoeng Doeun confession].

469 **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880, KH 00239838 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”].

470 **D54/13** Pres Mean WRI A11, 13, 15-16 [“Q: Did only Ta Mut speak in the meeting, or did any other cadres speak? A11: Only Ta Mut [...] A13: I knew that Dim used to be his deputy, but at that time he announced that Dim had become a traitor [...] Q: Did anyone who came from the East with Dim join the meeting? A15: Some of them attended, but I do not know the exact number. At the time, only the leadership echelon from the East Zone had been selected out. As for the ordinary soldiers, their weapons had been confiscated and they were sent to break rocks [...] Q: Did you know that Dim had disappeared before the meeting, or did you learn that he had disappeared when they announced it in the meeting? A16: I just learned about his disappearance during the announcement in the meeting, because he stayed in Kampong Som and I stayed in Stueng Hav”]; **D114/85** Chet Bunna WRI, A10, 21, 23-24, 26 [“in late 1976 or early 1977, Meas Muth declared that Chey Chhan [...] was a traitor who worked for the Vietnamese. It was announced that Dim was accused being a traitor and arrested at the same time [...] A21: the announcement was made on the Victory Commemoration Day of the 17 April, and was made in front of Division 164. The announcement was given at the far end of Au Chheour Teal Beach, where the Headquarters of the Navy was located [...] A23: On that day, Meas Muth was the sole person who spoke before about 1,000 soldiers [...] Amongst other matters, Meas Muth also announced that Chhan and Dim had been arrested for traitorous activities. To the best of my recollection, Chhan was arrested before Dim was. Only the arrests of Chhan and Dim were announced in public [...] A24: The meeting was held in the morning of 17 April [...] A26: only Chhan’s and Dim’s arrests were announced. I did not know how long they had been under arrest for before the meeting”]; **D54/102** Ek Ny (Ni) WRI, A1 [“in late 1976 toward the beginning of 1977 [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former [...] were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim”]; **D54/104** Ek Ny (Ni) WRI, A5, 9-10 [“Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoek, Chhan, Yan and Doem were traitors [...] A9: I think the name Doem in this document is Doem whom I have mentioned earlier regarding the rhyme, Contemptible Nhoek,

Contemptible Chhan, Contemptible Yan and Contemptible Doem [...] A10: I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested”]; **D54/8** Dol Song WRI, A7-8 [“Q: Did you know if Meas Muth was in charge of announcing the information? A7: Yes, I did. He was the division commander; therefore, he alone would be the person to pass the announcement to the lower levels. Q: How did you know about this? A8: He was the only person who could make the announcement because he was the division commander. However, the announcements of arrests were made only for the arrests of chairmen who were traitors, not for general arrests”]; **D54/40** Pen Vy WRI, A23-24 [“The upper *Angkar* said that the Sector 22 was full of traitors. At that time they played the audio tape on the confessions of Dim and Sim for the military to listen for them to believe that the two were really disloyal. I knew the voices of the two people clearly. Q: Who took and played the audio tape and where was it played? A24: The commander who replaced Dim played it for the military to listen. It took place at Preaek Leab”]; **D54/102** Ek Ny (Ni) WRI, A1 [“After we had been disarmed [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men's names starting with the word 'A (the contemptible)' because 'A' was the derogatory word for use on the traitors”]; **D114/89** Seng Sin WRI, A56-60, 63 [“We [disarmed Battalion 386 and East Zone soldiers] stopped at Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A58: [during the meeting] there were both guards and soldiers [...] Q: Were they armed? A59: Yes, they were [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting [...] A63: I only remember when he talked about the traitors' confessions. He talked about Norng Chhan and my two superiors [...] Meas Muth just claimed that they were traitors”]; **D54/104** Ek Ny (Ni) WRI, A10 [“I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested”]; **D54/101** Ek Ny (Ni) WRI, A11 [“Ta Mut at that time even used that [...] along with the confessions of some of the arrested [cadres] to teach us in the meeting. He read the confessions and the story to us and announced that those confessed persons had been in the traitor string”].

D114/85 Chet Bunna WRI, A34 [“Meas Muth said that Dim and Chhan had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”]. *See also* **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Dim disappeared in 1977 when there was the internal conflict”]; **D114/104** Iem Phong WRI, A50 [“Ta Chhan and Ta Dim were the deputy commanders. Ta Chhan and Dim were killed on charges of treason, and in fact they did have plans to rebel”].

D114/230.1.1 OCIJ S-21 Prisoner List identifies the following numbers of prisoners as “Arrested From” the other divisions, regiments and offices that comprised the RAK and whose leaders participated with Meas Muth in the Division Secretaries meetings: Division 164 – 67 S-21 prisoners; Division 117 – 6 prisoners; Division 170 – 403 S-21 prisoners; Division 290 – 441 prisoners; Division 310 – 1,117 prisoners; Division 450 – 509 prisoners; Division 502 – 357 prisoners; Division 703 – 676 prisoners; Division 801 – 35 prisoners; Division 920 – 395 prisoners; Regiment 152 – 291 prisoners; Regiment 377 – 53 prisoners; Regiment 488 – 77 prisoners; General Staff – 453 prisoners; S-21: 34 prisoners.

D1.3.8.2 DK Military Meeting Minutes, 1 Jun 1976, EN 00233954; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234013-16; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195348-53; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 0940352-56; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656387-90. *See also* **D22.2.180** Meas Muth Phnom Penh Post, Interview, *Meas Muth: “We were in a cage like today”*, 2 Aug 2001, EN 00161880 [“Q: According to the report, you attended many general staff meetings with [former Khmer Rouge Defense Minister] Son Sen, at which he revealed the policy towards the enemies of the regime. A: When I came to those meetings, it was only to discuss rice production. [...] As I told you, in the meetings I attended with Son Sen, we discussed whether there was enough rice or not”]; **D54/37** Soem Ny WRI, A30-31 [“Q: Have you ever heard that Meas Mut was a general

military staff? A30: Yes, I have. He had to join monthly meetings with military staff in Phnom Penh. Q: How did you know it? A31: I knew it because my chief, Krin also joined such meetings”].

474 **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 1976, EN 00233955 [Son Sen: “B - Nation building: Our task is to increase production to three tons per hectare and to expand dike systems by 30 percent. The great leap movement is strong in the countryside already, and the movement to make canals, the movement to build dikes, all these are very strong”]. See also **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234013-16; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195348-53; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 0940352-56; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656387-90.

475 **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 1976, EN 00233955; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234013-16; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195348-53; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 0940352-56; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656387-90.

476 **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 1976, EN 00233955

477 **D114/6** Yin Teng WRI, A31-34 [“To my knowledge, the village chief went to have meetings with Ta Mut every morning before coming to lead meetings with the villagers at 11 a.m. Q: Did you know why the village chief went to have meetings with Ta Mut? A32: The village chief was told in the meetings the tasks which Angkar assigned. Q: Did the village chief say that he had met with Ta Mut? A33: Yes, it was announced to us that the village chief had met with Ta Mut, who told him about Angkar’s new plans. Q: Did the village chief say that he had meetings with Ta Mut frequently? A34: I do not know if he spoke the truth or lied when he said he met with Ta Mut once a month”]; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“We often worked together although his [Mut] workplace was far away from ours. We were at the cooperative. When he needed us, he sent his messenger to deliver a letter to us telling us about the date of the meeting we would have to attend”].

478 **D114/215** Meas Im WRI A66-67, 70, 75-76 [“Q: In connection with the work at the worksite, did Mienh ever instead receive any instructions from anywhere else? A66: Before, he received orders directly from Meas Muth. Q: In connection with the work at the worksite, can you explain how Mr. Meas Muth was able to give instructions to Mienh? A67: We did not grasp that. We did not know about the instructions from Meas Muth to Mienh. We did not know about things political. We only received instructions from Mienh through Meas Muth on the technical side of things [...] Q: What all were the technical tasks related to your work that your older brother gave to you through Mienh? A70: The first technical task was to construct the road from the oil factory to Stueng Hav. Second, was constructing the up-and-down road(s) in Stueng Hav Worksite and levelling things from the foot of the mountain to Stueng Hav beach to make it flat [...] Q: How did your older brother communicate with Mienh, by what means? A75: They communicated via field telephone and telegram. Q: How did you know? A76: As I was there at Mienh’s house. I lived near Mienh’s house and I saw such equipment”]; **D114/175** Neak Sitha WRI A20, 48, 51-53, 56-57 [“Q: Can you describe more about the term ‘very hard worksite’? What were the working conditions there like? A20: It was a place where people dug earth, farmed rice, transplanted rice seedlings, and harvested rice without having a break. [...] Q: What did you hear about Meas Muth during the Khmer Rouge regime? A48: I heard Meas Muth saying that we had to work. If we did not work on time, at the turning point, the historical wheel would roll over us. (The Civil Party indicated the turning point as an elbow.) We did not understand what the historical wheel was. Everyone was very scared. Q: In Question-Answer 15, we asked you about the responsible persons in Prey Nub and other places where you worked and you clarified that you did not know who it was. Now that we mention Meas Muth, do you think these locations were related to him? A51: Meas Muth was the sector commander. Q: Please tell us more about what you know. A52: He was the chief and he ordered others to work. Q: Are you telling us that Meas Muth was in charge of the sector or the locations where you worked? A53: Yes, I am. [...] Q: You said that you never saw Meas Muth. How did you know that the term ‘historical wheel’ was Meas Muth’s term? A56: I heard it from my workmates in the mobile unit. The term was used by the old people during the meetings at the bases. For instance, my parents told me to be careful of the historical wheel and not to be lazy but to work hard. I asked my mother what the term ‘historical wheel’ meant. Q: Why did you believe that the term was spoken by Meas Muth? A57: Meas Muth opened big meetings and he talked about it. At that time, there was a big meeting once a month. I did not attend the meetings because I was in a mobile unit”].

479 **D114/6** Yin Teng WRI, A31-34 [“To my knowledge, the village chief went to have meetings with Ta Mut every morning before coming to lead meetings with the villagers at 11 a.m. Q: Did you know why the village

chief went to have meetings with Ta Mut? A32: The village chief was told in the meetings the tasks which Angkar assigned. Q: Did the village chief say that he had met with Ta Mut? A33: Yes, it was announced to us that the village chief had met with Ta Mut, who told him about Angkar's new plans. Q: Did the village chief say that he had meetings with Ta Mut frequently? A34: I do not know if he spoke the truth or lied when he said he met with Ta Mut once a month"; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 ["We often worked together although his [Mut] workplace was far away from ours. We were at the cooperative. When he needed us, he sent his messenger to deliver a letter to us telling us about the date of the meeting we would have to attend"]. See also **D114/194** Sorn Sot WRI, A40-43 ["I just knew it. When we made mistakes we would be told about that. In meetings we were told that we needed to be careful. If we made mistakes we would be sent to Teuk Sap. Q: Do you remember who said this? A41: Our fellow workers knew this. They heard it being mentioned in the meetings. The persons who said this were the group chiefs in the cooperatives. They told us this straight away, but I never saw such an incident personally. Q: Whose command were those groups under? A42: They were under Ta Muth's command. Q: As group chiefs, they were very far from Ta Muth. So, how did you know that? A43: There were messengers from Kampong Som to the cooperatives"].

D114/6 Yin Teng WRI, A30-A35 [Discussing meetings at Thma Thurn Village: "Q: Who led the meetings? A30: The village chairman. Q: Did the village chief lead the meetings every single day? A31: Yes, every single. To my knowledge, the village chief went to have meetings with Ta Mut every morning before coming to lead meetings with the villagers at 11 a.m. Q: Did you know why the village chief went to have meetings with Ta Mut? A32: The village chief was told in the meetings the tasks which Angkar assigned. Q: Did the village chief say that he had met with Ta Mut? A33: Yes, it was announced to us that the village chief had met with Ta Mut, who told him about Angkar's new plans. Q: Did the village chief say that he had meetings with Ta Mut frequently? A34: I do not know if he spoke the truth or lied when he said he met with Ta Mut once a month. Q: Did the village chiefs ever put in place Ta Mut's? A35: No, they never mentioned Ta Mut. It was the village chief himself who ordered each person to dig one cubic metre of soil per day"].

D114/6 Yin Teng WRI, A153, 164 ["During the meetings, they mentioned plans to build canals, grow vegetables, and strengthening our stances. They mentioned Ta Mut once every two to three weeks [...] Q: Did they ever mention about Ta Mut during those meetings? A164: They did not mention Ta Mut during those meetings attended by ordinary people. But they mentioned his name during meetings attended by cadres. I knew this because I worked about 500 metres away from the place where the meetings were held"].

D114/6 Yin Teng WRI, A153-154 ["Q: You said you attended the meetings on daily basis. Was Ta Mut mentioned in those meetings? A153: During the meetings, they mentioned plans to build canals, grow vegetables, and strengthen our stances. They mentioned Ta Mut once every two to three weeks. Q: What did they say about Ta Mut? A154: They said that orders from Ta Mut must be followed, implemented, and respected; otherwise there would likely be trouble"].

D1.3.30.2 Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824 [Meas Muth: "I am at Koh Rung island and Rung Krao to follow up and help make sure that the decision by the Party is effectively implemented. The ammunitions and rice grains on those islands are enough for six months. But these old rice grains are spoiled, discharging moldy stink.]. See also **D114/19** Ma (Mak) Chhoeun WRI, A33-34 ["Q: Did Meas Mut ever visit your island in order to confirm that plans were implemented correctly? A33: Meas Mut visited my island once before this event. Q: Did Meas Mut conduct inspections in order to confirm that his instructions and those of the Party were implemented correctly? A34: As the most senior commander in overall charge, Meas Mut wanted to know what happened in the division. Generally, I had to report to the regiment, and the regiment relayed the reports to him"].

D54/10 Meu Ret WRI, A12 ["Q: Do you know the roles and function of Meas Mut as commander of the division in 1975? A12: As division commander, he had overall responsibility for the division. He travelled up and down to monitor each military unit in the division"].

D54/38.1 Lon Seng WRI, EN 01072400 ["Q: In what year did they record your biography? A: In 1976. I was going to visit home in 1976, and Meas Mut, the division commander, issued a stamped permission letter. He advised me not only to visit home but also to follow up on some rank-and-file supporters living there. Coincidentally, those who visited their families saw other people had severely hurt their parents, so they took the unit to attack the base. They were angry because, while they were serving in the army, their parents were being mistreated and punished. More than 40 soldiers attacked the place, resulting in fleeing and death. That incident was reported to the unit. He knew about it, so he told me, 'I am sending you there. This is a letter of permission because you have not visited home for quite a long time. You miss your parents and relatives, so I

am letting you go, but you must go with a mission. You must follow up on those people for me.' First, if they knew we had good backgrounds, they promoted us. Second, if we had a bad background, they might or might not have known"].

486 **D54/44** Long Seng WRI, A19, 22 ["Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Mut, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division. [...] Q: Were you in that training meeting where the East Zone soldiers were announced as bad-element soldiers? A22: Yes, I also attended that meeting"]; **D54/102** Ek Ni WRI, A1 ["At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed, we were not allowed to possess even a knife. Each of us was allowed to have only a hoe. After that, Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level"]; **D114/89** Seng Sin WRI, A56, 60-61 ["Q: You said that there was another meeting after you reached the mainland. When and where did the meeting take place? A56: We stopped in Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A60: [...] The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting. [...] A61: He did not talk about anything else. He sent us to work in a production unit after the meeting"]; **D54/13** Pres Mean WRI, 26 Jun 2013, A6 ["Q: [...] you were screened out because of your bad biography and that was the reason you were sent to the rock breaking site? A6: Yes, that really happened to me"]. See also **D54/15** WRIA, EN 00942728 ["[Pres Mean] indicated the area of the military base close to the Stung Hav rock quarry where he observed the meeting held by Meas Muth in mid-1977 speaking about traitors"].

487 **D114/58** Som Saom WRI, A14, 16 ["Meas Im was responsible not only for that dam [Ochheuteal Dam] but also for the worksites at Kang Keng (a rice field worksite and Pou Thoeung Dam worksite). He was in charge of the logistics of the area. [...] A16: Meas Im was responsible for all the worksites including the ones at Kang Keng as well"]; **D54/20** Sam Saom WRI, A14 ["I farmed rice in a mobile unit under the leadership of Ta Im. Im was the next highest ranking cadre under Meas Mut. Im was in charge of the work at the Kang Keng worksite and was also the deputy commander for logistics of Division 164"].

488 **D4.1.699** Telegram from Dim to Brother Mut (Meas Muth), 24 Sep 1976, EN 00143240 ["The rice in all places is in progress. But in Kang Keng there are 12 hectares with deep water. However our brothers [combatants] are helping save the rice [from the flood]. As for the land, it has been cleared as planned. And it has been ploughed one time already. But we have to rake one more time"]; **D1.3.34.14** Telegram from Dim to Muth (Meas Muth), 6 Oct 1976, EN 00233661 ["Our rice, in general, doesn't have any serious change. The rain had fallen two times already"]; **D1.3.14.2** Telegram from Moeun to Brother Mut (Meas Muth), 13 Jul 1977, EN 00233944-45; **D1.3.34.39** Telegram from Roeun to Brother Mut (Meas Muth), 5 Nov 1977, EN 00233656 ["The rice and rice field situation at this time. We are continuing to harvest salt rice as the rice is continuing to ripen, North of the road as well as to the South. As for the drought problem, we are taking measures and watering dry rice fields. Aside from this, there is not a serious water problem"]. See also **D114/214** Meas Im WRI, A30, 32-33 ["Q: What was the name of the chief of the construction unit in which you worked [at Stung Hav]? A30: Mienh [...] Q: Did Mienh have to report to his higher ups? What were their names? A32: Mienh reported to Meas Muth. Q: Did he report to Meas Muth personally? A33: Yes, personally"]; **D59/1/4.24** Long Ly DC-Cam Statement, 00970714 ["Q: So, when you needed something, you sent your request to Granduncle Nhan, and then Granduncle Nhan would forward it to Granduncle Mut. A: Yes, he forwarded to Granduncle Mut"].

489 **D1.3.8.2** DK Military Meeting Minutes, 1 Jun 1976, EN 00233955; **D1.3.8.3** DK Military Meeting Minutes, 3 Aug 1976, EN 00234013-16; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195348-53; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 0940352-56; **D1.3.27.22** DK Military Minutes, 21 Nov 1976, EN 00656387-90.

490 **D1.3.30.2** Report from Mut (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824 [Muth reporting on amount and quality of rice grains in Koh Rung island]; **D4.1.1020** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976, EN 00525783; **D1.3.34.10** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647 ["This August in Kampong Saom the rain has come down only one time. Now [the people] have to drench the rice fields [by hand]"]; **D1.3.12.7** Report from Kan and Mut

(Meas Muth) to Respected Brother, 15 Jul-31 Aug 1976, EN 00233963; **D1.3.4.1** Letter from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976, EN 00234455 [Comrade Muth describing the hospitalisation of Achar Kang's wife].

D1.3.30.2 Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824 ["I am at Koh Rung island and Rung Krao to follow up and help make sure that the decision by the Party is effectively implemented. The ammunitions and rice grains on those islands are enough for six months. But these old rice grains are spoiled, discharging moldy stink [...] This monthly report of Unit 164 is to be submitted to Brother 89 by train"].

D1.3.27.18 DK Military Meeting Minutes, 19 Sep 1976, EN 00195354 [Rice Farming Statistics].

D1.3.19.2 Report from Khieu (Son Sen) to Division and Regiment Committees, 3 Sept 1977 [Son Sen in his capacity as Chairman of the General Staff: "All divisions are required to build their own fish sauce production places [...] Please visit division 164 for knowledge on this"].

See, e.g., **VIII.E. Stung Hav Worksites – 3. Crimes – Enslavement; VIII.E.3. Crimes – Other Inhumane Acts; VIII.F. Ream Area Worksites – 3. Crimes – Enslavement; VIII.F.3. Crimes – Other Inhumane Acts (Inhumane Treatment)**.

D1.3.27.18 DK Military Meeting Minutes, 19 Sep 1976, EN 00195352 ["[We] must go down to the rice paddies, to the rice, to the water pumps. Go down to see and to listen to reports to be able to summarize experience clearly"].

See paras 191-192, 197.

See **VIII.E. Stung Hav Worksites – 3. Crimes – Enslavement; VIII.E.3. Crimes – Other Inhumane Acts; VIII.F. Ream Area Worksites – 3. Crimes – Enslavement; VIII.F.3. Crimes – Other Inhumane Acts (Inhumane Treatment)**.

D1.3.8.2 DK Military Meeting Minutes, 1 Jun 1976, EN 00233958 [Meas Muth: "Angkar provided 1,500 bags of rice. The people can eat this, if mixed with potatoes, until August"]; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195339-41 [Meas Muth: "Food supply situation - Calculating through 15 November, the new rice which has arrived will be exhausted. Food supplies on the islands will be exhausted in January 77. Secondary crops on the mainland have mostly rotted. There are 30 hectares of potatoes in the ground"]; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656384 [Meas Muth: "Food supply for the land base unit will be enough until the end of the year based on the 2 cans per person ration. Food supply for the units stationing on the islands will last until 15-4-77 [...] based on the calculation of 2 tons per hectare, this will yield 3,260 tons of crops. - 3,745 tons will be needed for food each year based on the calculation of 312 kgs for each person per year. This amount is for feeding 12,000 Persons in the military and civilian. - 225 tons are allocated for seeding on 1,500 hectare lands. - After food and seeding allocation, there will be a shortage of 310 tons"]; **D1.3.30.2** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824 ["The ammunitions and rice grains on those islands are enough for six months. But these old rice grains are spoiled, discharging moldy stink"].

D4.1.1020 Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976, EN 00525783 ["[We] already received medicines that Brother sent us. Most of them are calcium. We have not seen the anti fever medicines and serums yet. Probably they will arrive later"].

D1.3.34.10 Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647 ["This August in Kampong Saom the rain has come down only one time. Now [the people] have to drench the rice fields [by hand]"]; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195341 [Meas Muth: "Health situation - In September, many brothers and sisters had fevers, but it has not yet had a life and death impact. The cause is much rain, and the brothers and sisters don't have much rain clothing"].

D4.1.1020 Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976, EN 00525783 ["The number of patients coming to stay in the hospital on February 20, 1976 is 1300, excluding the number people who have fevers and stay in their work groups. More than 30 comrades have died from January 20 to February 20"].

D1.3.27.18 DK Military Meeting Minutes, 19 Sep 1976, EN 00195341.

D114/307.6 Meas Muth VOA Interview, *Tribunal Suspect Finds Court's Role Limited*, 6 Oct 2011, EN 00746176 ["In fact, firstly, there were no civilians at my place. Secondly, there were only soldiers and their families. Therefore, there was no forced labour in my unit"].

See **VIII.E. Stung Hav Worksites; VIII.F. Ream Area Worksites**.

See **III.2. Meas Muth's DK Role - Effective Control**.

- 506 **D22.2.180** Meas Muth Phnom Penh Post Interview, *Meas Muth*: “We were in a cage like today”, 20 Jul- 2 Aug 2001, EN 00161880 [“Post: How many people were in your division? Muth: Probably over 10,000. To control the humans is not like controlling the animals. For the animals you can only give them grass to eat. But the humans, they need food and they have feelings as well”].
- 507 See, e.g., **D54/90** Kuy Nen WRI, A19 [“People were not allowed to go anywhere freely”]; **D114/130** Iem Phong WRI, A82 [“Q: Could you leave the stone-breaking worksite or the place you lived? A82: Unless they assigned us to go anywhere, we could not leave”]; **D114/121** Phar Suon WRI, A33, 47-48 [“Q: Were you allowed to leave quarters or your workplace? A33: No. When we worked, we could not leave work or we would have been arrested. [...] Q: Did you want to do the work? Did you have other choices? A47: I did not want to do it, but I had to do it in exchange for my life. From my understanding, when they arrested someone who tried to run away, that person was killed. [...] A48: Yes, I was worried that one day I could lose my life”]; **D54/123** Lak Saphan WRI, A2 [“They did not allow us to walk freely at night unless there was an order for us to carry out some assignment such as dam building or putting up rice field dikes”]; **D114/31** Moul Chhin WRI, A122 [“[W]e were under constant surveillance so they could learn if we conducted any activities opposed to the regime or if we attempted to flee”]; **D54/68** Nong Net WRI, A33 [“Q: Why did not you find a way to escape from there when the working conditions were very difficult? A33: There was no escape route because we ate rice collectively, so if we escaped to another place, we would not have anything to eat, and we would be killed by the soldiers who patrolled that area”].
- 508 See, e.g., **D54/20** Sam Saom WRI, A14 [“The food was insufficient. We were given rice gruel in the morning. Though we were given rice for lunch and dinner, the amount given was not sufficient”]; **D114/89** Seng Sin WRI, A82-83 [“In short, we never had enough food to eat. [...] A83: We were offered two meals per day”]; **D114/244** In Yoeu WRI, A25 [“When I was in Kang Keng, my living conditions were terrible and I did not have enough strength. The provided food rations were too little. A pot of cooked rice was provided to ten people”]; **D54/36** Brak Sokha WRI, A12 [“The food regime was insufficient”]; **D114/6** Yin Teng WRI, A25 [“There were four members in my family. We were given one can of rice per day, so I did not have sufficient food”].
- 509 See, e.g., **D54/36** Brak Sokha WRI, A12 [“During the time that we were building a dam in Bobos village, each of us had to carry three cubic meters of earth each day. For canal digging each of us also had to carry three cubic meters”]; **D54/90** Kuy Nen WRI, A42 [“Each person was assigned to carry two to three cubic metres of soil per day”]; **D114/31** Moul Chhin WRI, A112 [“We had to be very clear about our work in order to complete the assigned task – three cubic metres a day per person”]; **D54/33.1** Y Chhon DC-Cam Statement, EN 01073816 [“Soldiers also had to work hard then. Q: Did they also work hard? A: Yes, they set the amount of work. At first, two people had to quarry only four cubic metres of rock. If we could complete this, they would continuously increase the amount. Later six people had to quarry 12 cubic metres of rock. The work was very harsh, and we had a lot of suffering. There were no-rock drilling machines, so we quarried the rock manually. Those responsible for drilling holes in the rock were assigned to drill a one-metre deep hole per day”].
- 510 See, e.g., **D114/40** Moul Chhin WRI, A22 [“Q: You said 10 people among the 300 people were ordered to guard the dam every night. Were they allowed to rest the next day? Or were they ordered to complete their allotted target of 3 cubic metres per day as they did each other day? A22: The next morning, those 10 people had to work as usual; they were not allowed to take any rest”]; **D114/6** Yin Teng WRI, A47 [“When I was assigned to dig the canal, four guards monitored four of us, including me. That is, one guard monitored one worker. If we could not complete the work as planned, then we were forced to work until 9 p.m. or 10 p.m. to complete the work”]; **D114/96** Cheng Laung WRI, A69 [“I can say that the people who worked at the dam construction worksite worked in hardship, for they had to work day and night”]; **D114/31** Moul Chhin WRI, A112, 117 [“They absolutely required us to complete the assigned task within the day without fail. In the case the quota was not met they permitted neither rest nor food. [...] A117: They forced the people to work until they could no longer walk”]; **D114/121** Phar Suon WRI, A46 [“We worked all week and all month without rest, except when we had a meeting”]; **D54/20** Sam Saom WRI, A14 [“I was assigned to dig 20 square metres of land per day by using a hoe. The daily work started from 7am - 11 am and 1 pm - 5pm, with a one hour break in between”]; **D114/89** Seng Sin WRI, A80 [“We worked from 0300 to 1100 and then from 1300 to 1800. Sometimes we worked overtime until 2100”].
- 511 **D54/98** Heang Ret WRI, A121, 127 [“Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander. Q: According to your interview with the Documentation Center of Cambodia, you said, ‘Ta Nhan was the commander of Regiment 63 stationed at Kang Keng’. Is this

correct? A127: Yes, it is”]; **D114/77** Svay Sameth WRI, A30 [“Q: Did you know Mom Yan? A30: Yes, I did. He was the Commander of Regiment 63. His base was in Kang Keng Airport which was near a crossroad at Smach Daeng between an entry to the airport and the national road. He was the Commander of Regiment 63 before Chorn came to replace him. I do not know what happened to him”]; **D59/1/1.11a** Hieng Ret DC-Cam Statement, EN 00974135 [“Ta Nhan was then in charge of Regiment 63 at Kang Keng”].

See section **VIII.F. Ream Area Worksites**.

D4.1.699 Telegram 11 from Dim to Brother Mut (Meas Muth), 24 Sep 1976 (*emphasis added*), EN 00143240 [“In Riem and Babos Py sub-districts, we have taken measures as you, brother, have decided. Five enemies managed to run into the forests. But now we have arrested all of them”].

D4.1.699 Telegram 11 from Dim to Brother Muth (Meas Muth), 24 Sep 1976, EN 00143240 [“For our situation, one of combatants in Unit 62 doing farming in the vicinity of Chamkar Daung drowned and died without any valid reason”].

D4.1.699 Telegram 11 from Dim to Brother Muth (Meas Muth), 24 Sep 1976, EN 00143240 [“The rice in all places is in progress. But in Kang Keng, there are 12 hectares with deep water. However our brothers [combatants] are helping save the rice [from the flood]. As for the land, it has been cleared as planned. And it has been ploughed one time already. But we have to rake one more time”].

D1.3.8.3 DK Military Meeting Minutes, 3 Aug 1976, EN 00234012 [“I. Report on military situation: Comrade Mut: 1. Defense force preparation: a. Weapons placed on Kampong Som mainland: In the city of Kampong Som, there are four 105 mm, one 40 mm, six 37 mm and two 12,7 mm canons. At Ream and Kang Keng, there are six canons—105 mm, 37 mm, and 12,8 mm”].

D54/8.1 DK Military Meeting Minutes, 9 Sep 1976, EN 01509242 [“On land as early as September, the local people in Kang Keng showed some unusual patterns of activities include: For example, they cut a piece of buffalo meat. They put some stones in the brick kiln. Thefts have increased significantly. Among those local people there were not-good soldiers. Two Lieutenants have been identified and arrested”]. See also **D1.3.8.4** DK Military Meeting Minutes, 9 Sep 1976, EN 00234009 [“On land starting in September, the base people in Kang Keng have been engaging in various strange activities, such as cutting off a piece of meat from a water buffalo and putting stones in brick kilns, and there’s been a lot of thievery. The majority among these people are good, but the soldiers engage in no-good movements. Previously, we found two first lieutenants, both of whom have already been arrested”].

D4.1.655 DK Military Meeting Minutes, 19 Sep 1976, EN 00143159 [“Comrade Mut: 1. Enemy situation: [...] In Kang Keng there is also thief which mainly committed by soldiers”].

D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940340 [“We managed to arrest bandits one after another around Ream’s Kang Keng. They were among those who had just gone into the forest recently”].

D54/17 Say Born WRI, A15-16 [“Q: How did you know that the site [brick kiln] was under Division 164 management? A15: Because no regimental commanders inspected the site, but the Commander of Division 164, Meas Mut, inspected the work there. Q: You have said that you went there only once, so how did you know that Meas Mut went to that site? A16: I asked my friend who was working there, ‘Has Meas Mut ever come to see this place?’ My friend said that he had come to look there”]; **D114/156** Soeng Noch WRI, A50-54 [“Q: Did you ever meet or see Ta Muth? A50: I never met him. I saw him from behind when he was riding on his bicycle along with his messengers. Someone told me that he was Ta Muth. Q: In what year did you see him? A51: I do not know in what year it was. It was probably in 1977, at Kang Keng Airport. Q: Do you know in what month of 1977? A52: In a dry season, the harvesting season; when we were threshing rice. Q: Was it at the start or the end of the year? A53: It was in the middle. It could have been at the end of the year. Q: Do you recall whether it was at the start or the end of 1977? A54: At the start of 1977”]; **D114/53** Uk Sok WRI, A224 [“I just heard that Ta Muth came to visit the worksite. Sometimes, I heard that he was standing on the national road”]; **D114/68** Kuy Sambath WRI, A5 [Witness raised ducks near Kang Keng Airport until January 1978: “I know Meas Muth very well. During the Khmer Rouge regime, my house was close to Kang Keng Airport. My family was assigned to raise ducks. That was the time when I had an opportunity to know Meas Muth. He was a military commander in charge of this area. He often came to have meal at my house and brought duck eggs back to his place”]; *contra* **D114/66** Chet Bunna WRI, A20 [“Meas Mut was never seen coming to these places”], **D54/36** Brak Sokha WRI, A18 [“There was no inspection from the division leadership”].

D59/1/4.25 Long Ly DC-Cam Statement, EN 00970714 [“Q: That is to say that Meas Mut was at the division, but he was also in charge of the cooperative? A: Yes, he came down to see us occasionally to see if

we needed something. And as a cooperative chairperson, we could see what we needed. If we needed something, we could request to him in writing, and then he would tell us to go to pick them up”].

D59/1/4.25 Long Ly DC-Cam Statement, EN 00970714 [“Q: That is to say that Meas Mut was at the division, but he was also in charge of the cooperative? A: Yes, he came down to see us occasionally to see if we needed something. And as a cooperative chairperson, we could see what we needed. If we needed something, we could request to him in writing, and then he would tell us to go to pick them up”].

D114/6 Yin Teng WRI, A31-34 [“To my knowledge, the village chief went to have meetings with Ta Mut every morning before coming to lead meetings with the villagers at 11 a.m. Q: Did you know why the village chief went to have meetings with Ta Mut? A32: The village chief was told in the meetings the tasks which Angkar assigned. Q: Did the village chief say that he had met with Ta Mut? A33: Yes, it was announced to us that the village chief had met with Ta Mut, who told him about Angkar’s new plans. Q: Did the village chief say that he had meetings with Ta Mut frequently? A34: I do not know if he spoke the truth or lied when he said he met with Ta Mut once a month”].

D59/1/4.25 Long Ly DC-Cam Statement, EN 00970714 [“We often worked together although his [Mut] workplace was far away from ours. We were at the cooperative. When he needed us, he sent his messenger to deliver a letter to us telling us about the date of the meeting we would have to attend”].

See VIII.E. Stung Hav Worksites.

D54/49 Sun Em WRI, A34-35 [“Oem was on a port building committee in Stung Hav. Oem was Meas Mut’s younger half brother. Because Oem had a different father, his surname was different from that of Meas Mut. Q: What were Oem’s position and duty? A35: I heard, from 1970 to 1975, he was a cooperative chief. After the 1975 ‘Liberation’, Meas Mut took him along and appointed him to the Stung Hav Committee”]; **D54/78.1** Nob Hal DC-Cam Statement, EN 00968387 [“Ta Oem was a younger brother of Meas Mut”].

D114/214 Meas Im WRI, A30, 32-33 [“Q: What was the name of the chief of the construction unit in which you worked? A30: Mienh. [...] Q: Did Mienh have to report to his higher ups? What were their names? A32: Mienh reported to Meas Muth. Q: Did he report to Meas Muth personally? A33: Yes, personally”]; **D114/215** Meas Im WRI, A4-6, 66, 77 [“Mienh had the role of regiment chief. [...] Q: According to our documents, there was only one person named Mienh in Division 164, whose full name was Lek Mienh, and he was the chief of Regiment 62 under Division 164. Are we talking about the name of the same person? A6: It is the same person. [...] Q: In connection with the work at the worksite, did Mienh ever instead receive any instructions from anywhere else? A66: Before, he received orders directly from Meas Muth. [...] Q: At what exact location did Mienh reside and work? A77: Stung Hav”].

D1.3.13.8 Pen Sarin OCP Statement, EN 00217562 [“The deputies of Mut were Dim and Norng Chhan. Chhan in 1976 was the supervisor in the Stung Hau area”]; **D114/130** Iem Phong WRI, A22-24 [“I met Ta Chhan when he came to attend the meeting. He gave us instructions and asked if we would help him in case there was any gunfire at his place. Q: What did he teach you? A23: He taught and explained quarry work. After giving us instructions, he asked us that question. Q: Was that at Stung Hav? A24: Yes”]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Mut’s first deputy was Dim from the East Zone”]; **D114/215** Meas Im WRI, A63 [“The only thing I knew was that Dim took me to work there”]. *See also* **D4.1.699** Telegram 11 from Dim to Brother Mut (Meas Muth), 24 Sep 1976, EN 00143240 [“Another two (combatants) had deserted a Unit in Sang Hav. They will be transferred from Unit 63”].

D4.1.1020 Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976, EN 00525783 [“During the last couple days, there has not been anything substantially attractive at most places except Sanghav where we stopped a 7-horse-power motorboat carrying people, three sacks of rice and two AKs [rifles]. [We] are not sure whether the people are soldiers or [travelers]. [We] are investigating this matter. More report will be sent later when the information is confirmed”].

D54/8.1 DK Military Meeting Minutes, 9 Sep 1976, EN 01509242.

D54/8.1 DK Military Meeting Minutes, 9 Sep 1976, EN 01509244.

D4.1.699 Telegram 11 from Dim to Brother Mut (Meas Muth), 24 Sep 1976, EN 00143240.

D114/215 Meas Im WRI, A64 [“Q: Did Mr. Meas Muth begin his visits to the worksite from mid-1976? A64: Yes”].

D114/215 Meas Im WRI, A12, 39, 43 [“Q: How often did Meas Muth visit the Stung Hav construction site? A12: Normally, Meas Muth came to meet the Chinese guests at the Stung Hav Worksite weekly. [...] A39: I met him during early 1977, as I noted, at Stung Hav to which he came once a week. [...] A43: I met him once per week, when he came to meet the Chinese guests”].

- 535 **D114/86** Chet Bunna WRI, A16, 25 ["I was sent to work there on 30 September 1978. [...] Q: Did you ever see Meas Muth, the Commander of Division 164, going to Stung Hav? A25: No didn't. But I heard that he went there to inspect the quarries before I went to work there"].
- 536 **D114/215** Meas Im WRI, A12, 39, 43 ["Q: How often did Meas Muth visit the Stueng Hav construction site? A12: Normally, Meas Muth came to meet the Chinese guests at the Stueng Hav Worksite weekly. [...] A39: I met him during early 1977, as I noted, at Stueng Hav to which he came once a week. [...] A43: [...] I met him once per week, when he came to meet the Chinese guests"]; **D114/146** Uy Nhik (Uy Nhoek) WRI, A52-53 ["At that time, we quarried rock to build a military pier. At that time, Ta Muth frequently travelled in an A2 Jeep to inspect the worksite. Q: When you mention Ta Muth, do you mean Meas Muth? A53: Ta Muth was Meas Muth"]; **D114/208** Long Phansy WRI, A26 ["Q: Did you ever see Meas Muth visiting Stung Hav pier or Stung Hav when you were the chief of Battalion 612? A26: Yes. I did see him when they inaugurated the worksite or each time when the Chinese paid a visit"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 ["Meas Mut came to visit [Stung Hau] on a number of occasions and when he stayed at Stung Hau overnight, he stayed in the same location as the Chinese technicians, who were in a building to the north of where the current district office is located"]. See also **D54/77** Uy Nhik (Uy Nhoek) WRI, A55 ["Q: How often did Meas Mut come to Stueng Hav? A55: He came once every two weeks"].
- 537 **D114/215** Meas Im WRI, A12, 39, 43 ["Q: How often did Meas Muth visit the Stueng Hav construction site? A12: Normally, Meas Muth came to meet the Chinese guests at the Stueng Hav Worksite weekly. [...] A39: I met him during early 1977, as I noted, at Stueng Hav to which he came once a week. [...] A43: [...] I met him once per week, when he came to meet the Chinese guests"]; **D114/146** Uy Nhik (Uy Nhoek) WRI, A52-53 ["At that time, we quarried rock to build a military pier. At that time, Ta Muth frequently travelled in an A2 Jeep to inspect the worksite. Q: When you mention Ta Muth, do you mean Meas Muth? A53: Ta Muth was Meas Muth"]; **D114/208** Long Phansy WRI, A26 ["Q: Did you ever see Meas Muth visiting Stung Hav pier or Stung Hav when you were the chief of Battalion 612? A26: Yes. I did see him when they inaugurated the worksite or each time when the Chinese paid a visit"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 ["Meas Mut came to visit [Stung Hau] on a number of occasions and when he stayed at Stung Hau overnight, he stayed in the same location as the Chinese technicians, who were in a building to the north of where the current district office is located"]. See also **D54/77** Uy Nhik (Uy Nhoek) WRI, A55 ["Q: How often did Meas Mut come to Stueng Hav? A55: He came once every two weeks"].
- 538 **D4.1.872** *Revolutionary Flag*, Oct-Nov 1975, EN 00495808 ["our country's degraded agriculture has to be rapidly shifted to a modern agriculture between ten to fifteen years. Agriculture shall be shifted to industry between fifteen to twenty years [...] [The acceleration of the country's reconstruction] is another prerequisite to accommodate a rapid increase in our population"]; **D4.1.874** *Revolutionary Youth*, Nov 1975, EN 00522460-61; **D114/36.1.59** CPK Publication, *Revolutionary and Non-Revolutionary World Views Regarding the Matter of Family Building*, reprinted from 2 Feb 1974 on 2 Jun 1975 and republished on 2 Sep 1975 (1000 copies); **D4.1.893** *Revolutionary Youth*, Oct 1978, EN 00539994 ["As for the current issue of setting up a family; there is no obstacle; this just based on two principles of the party: First, both parties agree. Second, the collective agrees, and then it is done"]; **D4.1.886** *Revolutionary Flag*, Sep-Oct 1976, EN 00450539 ["No aspect of private ownership is good [...] private ownership has always had a negative impact on the revolution [...] 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 [...] a contradiction with the Party"]; **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491435 [Nuon Chea: "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. For our population to constantly increase the livelihood of the people must rise [...] this means quickly increasing production"]; **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486263 ["We must double our efforts [...] so the Kampuchean population can increase in number rapidly enough to effectively defend and build our Kampuchea into a prosperous and developed country"]; **D4.1.871** *Revolutionary Flag*, Sep 1978, EN 00488637 [Pol Pot: "Our policy to increase the population is receiving good results [...] From mid 1977 through mid 1978, the number of births was 392,000 from a population of 7,800,000 persons [...] Presently, the [dea]th rate is less than 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"].

- 539 **D54/74.1.6, D114/29.1.5** FBIS, *Pol Pot Speech at 27 Sep KCP Anniversary Meeting*, 4 Oct 1977, EN 00168651 ["we hope to increase our population to 15 to 20 million in the course of the next 10 years or more [...] We must double our efforts, [...] so that the Cambodian people in general can increase in number quickly enough to effectively defend and build our Cambodia into a prosperous and developed country by leaps and bounds. We have no reason to reduce [...] our population [...], for the current size of our population- nearly 8 million people- is still far too small to cope with our country's potentials which call for more than 20 million Cambodian people. Therefore, our aim is to increase the population as quickly as we can"]; **D64.1.44** FBIS, *Countrywide Medical Conference Issues Resolutions*, 9 Nov 1978, EN 00170124 ["While trying to prevent diseases, attention must be given to hygiene and nutrition. All this is designed to improve our people's health and to increase our population by 15 to 20 million people within the next 10 to 15 years"]; **D114/36.1.8** FBIS, *Radio Text of Ieng Sary's 11 Oct UN Address*, 25 Oct 1977, EN 00168718 ["We continue to strive to improve our peoples living and health conditions because we hope to increase our population to 15-20 million in the course of the next 10 years or so"]; **D64.1.45** FBIS, *Conclusion of Pol Pot Speech at 27 Sep Phnom Penh Meeting*, 29 Sep 1978, EN 00170168 ["Our policy to increase our population is recording good initial success. From mid-1977 to mid-1978 there were 392,000 births out of a population of 7,800,000 the rate of our population growth has surpassed that of the precoup period. However, this speed is still not sufficient considering the [goal of] increasing the size of our population to between 15 and 20 million within the next 10 to 15 years. We must thus pay great attention to raising and improving the living conditions of our people [...] so as to accelerate the growth of our population"]. See also **D4.1.189** Ieng Sary Statement to the UN General Assembly, 11 Oct 1977, EN 00079815, paras 60 and 63 ["60. [...] we need a population of 15 to 20 million in 10 years' time [...] 63. [...] our population is still far short of our country's capacity, which has a need of more than 20 million people"]; **D234/2.1.33** Khieu Samphan Statement, 16 Apr 1978, EN S 00010565 [Khieu Samphan lists resolutions adopted by the Party, including "(6) [...] increase the size of the population to its maximum, so as to have 15-20,000,000 people in the next 10-15 years;" and "(7) [...] maximize the size of the population within one year, three years, five years, 10 and 15 years"]; **D4.1.1013** Pol Pot Statement to the Belgium-Cambodian Association Delegation, 5 Aug 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"]; **D234/2.1.22** DK Statement to UN, 13 June 1978, EN 00235727 ["ensure that the population of Kampuchea increases rapidly in order to defend and develop the country and to achieve prosperity by leaps and bounds [...] today's population of 8 million is well below the potential of the country, which needs more than 20 million"].
- 540 **D114/36.1.59** CPK Publication, *Revolutionary and Non-Revolutionary World Views Regarding the Matter of Family Building*, 2 Jun 1975, EN 00417943, FR 00593929, KH 00407100 ["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"], EN 00417943, FR 00593930, KH 00407100-01 ["1. (...)When marrying, it is imperative to honestly make proposals to the Organization, to the collective, to have them help sort things out. 2. Organizational discipline must be absolutely respected. 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"]. See also **D4.1.874** *Revolutionary Youth*, Nov 1975, EN 00522460, FR 00525856-57, KH 00063614-15 ["In our revolution rank, our revolutionary male-female combatants and cadres sacrificed private possessions such as housing, paddy-farm, garden, family, parents, relatives, children and other properties in order to serve the Party, revolution, and the people"]; **D114/36.1.60** Telegram 61 from Kân to respected and beloved Brother, 15 Mar 1978, EN 00434864, FR 00623009 KH 00020965-66 ["Answers by Kân: [...] The mobile unit members are allowed to get married if a proposal for marriage is made. The mobile unit commanding committee of the cooperative decides to arrange the marriage"]; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533-34, FR 00639883 ["The family continued to exist but [...] its primary purpose became 'to beget children for the service of the Party'. Ties between individual family members were diluted within the larger community [...] 'Free choice of spouse' was explicitly condemned"].
- 541 **D4.1.871** *Revolutionary Flag*, Sep 1978, EN 00488637 [Pol Pot: "Our policy to increase the population is receiving good results [...] 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"]. See also **D4.1.1056** Chuon Thi WRI, A4 ["[Pol Pot, at a conference] added 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.’ In this sense, Pol Pot stated that he required arrangement for marriage to increase number of population by instructing lower echelons to arrange the wedding for people”].
- 542 **D114/103** Liet Lan WRI, A96, 204, 207-209 [“Q: In which year did you meet [Meas Muth]? A96: I met him when I returned from China in 1978. [...] Q: How did you learn about this policy? A204: The policy was presented during a study session chaired by Ta Muth and Ta Nhăn. They laid out an annual marriage plan on the number of couples to be wed. [...] Q: Where was the study session held? A207: In Ou Chheu Teal. Q: Do you remember when it happened? A208: No, I do not. Q: In which year? A209: About one month after my return from China”].
- 543 **D114/103** Liet Lan WRI, A204 [“Q: How did you learn about this policy? A204: The policy was presented during a study session chaired by Ta Muth and Ta Nhan. They laid out an annual marriage plan on the number of couples to be wed. They reviewed all the requests that had been made and determined the number of couples to be wed”].
- 544 **D114/103** Liet Lan WRI, A206 [“Q: When you attended the study session, what did Ta Muth say about the marriage policy? A206: Ta Muth said that we should review all the marriage requests and marry them off. In so doing, we could achieve our two goals. The first was to increase the population to 20 million, and the second was to satisfy the disgruntled people who had requested to marry a long time before but to no avail”]. See also **D4.1.871** *Revolutionary Flag*, Sep 1978, EN 00488637 [Pol Pot: “Our policy to increase the population is receiving good results [...] From mid 1977 through mid 1978, the number of births was 392,000 from a population of 7,800,000 persons [...] Presently, the [dea]th rate is less that 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”].
- 545 **D114/103** Liet Lan WRI, A211-212 [“Q: Do you know if there was a plan to determine the number of couples to marry in your unit? A211: Yes, I had a plan. My plan was to marry off all the members of my unit. I married off many of them. I married off two couples on one occasion. I did not organise a wedding involving four couples because I had heard that some couples had taken their spouses erroneously, and it would take a long time to marry four couples. Q: After the marriage, did you report how many couples had married to the upper echelon? A212: In fact, I requested permission to marry them off before their weddings”]. See also **D114/78** Svay Sameth WRI, A22-25, 30, 32, 34 [“Q: Tell me about the wedding policy at Division 164? A22: Each spouse did not know their partner before their marriage. This happened to me and other people too. In my case, I was told just a day prior that wedding that I would get married the following day. We did not know each other, nor did we date our lovers like people do in the present day. At that time we had to get married as ordered. Q: Did you have to remain married? A23: Yes we did. Q: Why did you do so? A24: I do not know. We did not reject their request because we were afraid we would be killed. Q: Who were they? Who made the arrangements? A25: They were the people from the regiment. An assistant from the regiment told me that I had to get married. [...] Q: Where was the wedding held? A30: It was held in Kampong Som Province. The wedding was held near the present statue of lions. Only three couples were arranged to get married at the logistics office at that time. [...] Q: Did you ever tell the Khmer Rouge that you did not want to get married? A32: I did not argue with them because I noticed that those who did not get along with each other after getting married would lose the upper echelons’ trust. They said that we did not follow Angkar’s arrangement if we refused. [...] Q: Was the wedding policy applied to all the people in the division? A34: This policy was generally applied to everyone”]; **D114/66** Chet Bunna WRI, A29-31 [“At that time there was a rule in the Division 164 which stated that no one under the age of 25 years-old was allowed to get married. [...] Q: Who was the person making the rule to limit the minimum age for a person who wanted to get married to 25 years-old? A30: The unit chief announced this rule during the meeting. Q: Did people have to ask for the permission first if they wanted to get married? A31: Yes, the people had to ask for the permission before they could get married. I never saw any couple was forced to get married”]; **D114/113** Koem Men WRI, A230-231, 234 [“Q: During the Khmer Rouge regime, did the division arrange marriages? A230: Yes, it did. Q: Did the division select partners for the soldiers? A231: Yes, it did. However, they asked for our opinion [...] Q: [...] from 1975-1979, were all the marriages arranged by the division. A234: The wedding ceremonies took place at the division. The military arranged the marriages for them, given that their chairpersons were battalion or regiment chairmen. If you served in a small unit, your unit committee arranged marriage for you”].
- 546 **D114/103** Liet Lan WRI, A64-67 [“Q: Where did you provide the training? A64: At sea. I taught techniques for navigating ships in practical situations. Q: Did you teach in the vicinity of the military base? A65: Yes. Q:

Which military base? A66: Ream. Q: To what position were you assigned? A67: Chairman of the Anti-Submarine Section”].

547 **D114/103** Liet Lan WRI, A211 [“Q: Do you know if there was a plan to determine the number of couples to marry in your unit? A211: Yes, I had a plan. My plan was to marry off all the members of my unit. I married off many of them”].

548 **D114/103** Liet Lan WRI, A211-212 [“Q: Do you know if there was a plan to determine the number of couples to marry in your unit? A211: Yes, I had a plan. My plan was to marry off all the members of my unit. I married off many of them. I married off two couples on one occasion. I did not organise a wedding involving four couples because I had heard that some couples had taken their spouses erroneously, and it would take a long time to marry four couples. Q: After the marriage, did you report how many couples had married to the upper echelon? A212: In fact, I requested permission to marry them off before their weddings”]; **D114/66** Chet Bunna WRI, A31 [Battalion 20 soldier describing Division 164’s marriage policy in: “Q: Did people have to ask for the permission first if they wanted to get married? A31: Yes, the people had to ask for the permission before they could get married. I never saw any couple was forced to get married”]; **D114/113** Koem Men WRI, A234 [“Q: From your recollection, from 1975 to 1979, were all the marriages arranged by the division [164]? A234: The wedding ceremonies took place at the division. The military arranged the marriages for them, given that their chairpersons were battalion or regiment chairmen. If you served in a small unit, your unit committee arranged marriage for you”].

549 **D54/38.1** Lon (Lun) Seng WRI, EN 01072395-6 [“Q: Didn't Angkar arrange a marriage for you? A: They did, but I did not love [the chosen women], so I did not get married. Q: You rejected the arrangement? A: There were a few arrangements for me while I was in Kampong Sam, but I refused because I did not love any of [the women]. Was it because you did not love [them], or because you were worried? A: Because I did not love [them]. I did not love the women they had chosen. I rejected the arrangements. Back then, some people who rejected such arrangements were punished, but some were not. Q: How did you dare make so many rejections? A: Because I did not love the women. Moreover, a more senior-ranking cadre, Moeun, was like a friend to me and let me off. Likewise, Meas Mut understood me as we had served together and had had fun together. That was why I could always get off”].

550 **D114/91** Seng Ol WRI, A173 [“Q: In your unit, were there any young women who were sent to marry soldiers who served in the infantry or the navy? A173: Yes, there were. In 1976 or 1977, they had me select four or five young women to marry soldiers in Kampong Som. At that time, I was doing dry season farming, and I selected four or five women. The truth was they volunteered to go”] *but see* **D114/36.1.64** Seng Ol WRI, A20 [“In 1977 or 1978, the army came to request women from my unit to be married in Kampong Saom. Proposal letters were sent from the army to my commune, and the Commune Com told me to select women to go to Kampong Saom, saying that the army had requested them. At that time, neither I nor the women selected to go knew that they were being taken away to marry handicapped soldiers”]; **D114/66** Chet Bunna WRI, A29, 31-32 [“Q: Now let us change the subject to speak about the marriage arrangement that was done in the Division 164 at that time. How was the arrangement made for any persons who wanted to get married and for those who had to get married? How was the request for the marriage made? A29: I saw only one wedding in which there were ten couples of brides and grooms. In that wedding there were Ta Seng, Ta Meoun and other leaders. Based on my observation, there was no problem among those couples because the brides and grooms were in the similar age range. But I noticed one couple, Ta Seng and his bride, was different from others because Ta Seng was much older than the bride. I suspected and thought that the bride was so young like that might not be happy to get married to a groom as old as Ta Seng. [...] Later on, I heard people talking about forced marriage, but based on my experience, I never saw any persons who had been forced to get married. [...] Q: Did people have to ask for the permission first if they wanted to get married? A31: Yes, the people had to ask for the permission before they could get married. I never saw any couple was forced to get married. Q: In Ta Seng's case, other than age differences, did you think that it was possible that the bride might be forced to marry him? A32: As I thought, at that time, sister Pov was not under any pressure to marry [Ta Seng] *because sister Pov was a loyalist to the Angkar's regime*. Sister Pov's age was far different from Ta Seng's age. Sister Pov was about 18 or 19 years-old, the same age as I was then. As for Ta Seng, he was already over 40 years-old” (*emphasis added*)]; **D114/113** Koem Men WRI, A241 [“Q: People whom I have interviewed said that people were forced to get married in Kampong Som. If they refused, they would be in trouble. Did you ever know about that? A241: I did not know anything about it. For us, there was no such case. We even showed our sympathy towards those whose wives were not beautiful”] *but see* A230-231, 236-237 [Q: During the Khmer Rouge regime, did the division arrange marriages? A230: Yes, it did. Q: Did the

division select partners for the soldiers? A231: Yes, it did. However, they asked for our opinion. [...] A236: Nothing would happen [if we resisted the wedding]. If we were satisfied, we could get married. If we were not, we could just say that we did not want to have a family yet. If we said no, we would feel ashamed in front of the women. Q: Do you know why your division wanted people to get married? A237: Most people had reached the marriageable age. We were old enough. Our troops were between, 24, 25 and 30 years old. They brought and showed women to the soldiers, and they asked whether they loved the women or not. I lived on the island, and they brought women to the island. I asked my soldiers whether they liked those women or not. If they both liked each other, we wrote their names down. If they did not, that was fine. The women had their own representative, and that person asked the women whether they liked the men or not. Our job was to make the arrangements and make sure the men and women saw each other”].

551 Vun Bunna claimed that her marriage to Liet Lan was organised by her cousin (Tim) Seng and Nhan, while Liet Lan remembered that only Nhan organised it: **D114/304** Vun Bunna WRI, A68-70, 86, 96, 98, 100, 107, 109, 112-113 [“Because my older cousin [...] transferred me to live there [...] A69: His name was Seng [...] A70: It seemed that he worked in the division [164] [...] A86: I married because I was assigned to do so. My cousin wanted me to marry, so I followed him. He was my cousin, whose name was Seng. He assigned me to marry [...] A96: I did not want to marry because I was very young. But because my cousin arranged the wedding for me, I did not reject [...] A98: [...] it was my cousin who arranged my wedding [...] A100: [...] in Kampong Som. The wedding was held at his [cousin] office [...] A107: Ta Nhan also joined my wedding, but I did not know what his position was [...] Q: On your wedding day, who presided over the ceremony and told you to hold hands that you paid attention to? A109: It was a long time ago. I was not sure if it was my cousin or someone else [...] A112: Leat Lan and I stayed at a nearby house, which belonged to my cousin. Q: Who told you to stay in that house? A113: It was my cousin because it was his house”]; **D54/29** Liet Lan WRI, A3, 6, 8 [“A radio operator contacted me telling me Meas Mut wanted to see me at his home [...] Initially I had no idea what was going on there. Soon, Ta Nhan [...] declared a wedding ceremony [...] Later on the bride said that she agreed to marry. I said nothing because I was not happy with the event as I had not known anything about it [...] Then the bride’s parents and the high ranking cadres declared we were husband and wife. [...] A6: No, it was not right. I had no choice at all. I had to accept the arranged marriage. Otherwise, I would have been removed from my work and sent somewhere else. [...] A8: I think Ta Mut was the initiator of my marriage. I did not know exactly the reason behind it, but I thought he wanted me to be one of his relatives because my wife was a blood relation of his”]; **D114/103** Liet Lan (Nam Lan) WRI, A162, 171-172, 174, 176 [“Q: Who arranged your marriage? A162: Nhan [...] Q: At that time, did you object to the marriage? A171: Yes, I did. I said that I was angry because I had not been informed earlier, and I refused to come forward to make the vow. Q: How about your wife? How was she at that time? A172: She also objected, but Ta Nhan asked if she followed the Party or followed someone else [...] A174: the marriage was arranged by Nhan. I think that the Division Chairman knew this [...] A176: Ta Nhan was the highest-ranking cadre in attendance”].

552 **D114/103** Liet Lan WRI, A177 [“Q: Where were you wed? A177: At Ta Muth’s house in Kampong Som”].

553 **D114/103** Liet Lan WRI, A174 [“the marriage was arranged by Nhan. I think that the Division Chairman knew this”]; **D54/29** Liet Lan WRI, A3 [“When I arrived at [Meas Muth’s] home near Kampong Som Market, I saw that [some] high ranking cadres had already gathered there. Initially, I had no idea what was going on there. Soon, Ta Nhan called a bride to come out and then he declared wedding ceremony”]. *See also* **D114/103** Liet Lan WRI, A111 [Chairman of the Anti-Submarine Section, Regiment 140: “Q: Do you know the names of those who belonged to the Special Command that Meas Muth sent to the battlefield? A111: Lan (deceased) and Nhan (in charge of Division 3 Logistics)”]; **D114/113** Koem Men WRI, A207 [Battalion 623 commander: “Q: Yesterday you said that, after Ta Dim and Chhan left, Nhan replaced them. When soldiers were sent to the East Zone, did Nhan go there as well? A207: No, he didn’t”]; **D114/79** Kang Sum WRI A265 [Battalion 31, Regiment 310: “Q: What was Ta Nhan’s position? A265: He was in charge of logistics for Division 164”]; **D59/1/1.7a** Mak (Ma) Chhoeun DC-Cam Statement, EN 00969928 [Battalion 550 commander: “Q: Who was in charge of Regiment 63? A: Ta Nhan”].

554 **D114/117** Nav Sokhan WRI, A256-257, 262-263, 265-266, 273, 275-276 [“Q: After arriving in Kampong Som, how many days afterwards did they order you to get married? A256: I arrived there about a month before. Q: Therefore you got married in October 1977. Is that correct? A257: Yes, it is [...] Q: When they came to order you to get married, what happened? A262: They told me to get married, but I refused. She told me that if I refused, they would take me to be detained in prison. Therefore, I agreed to get married. Q: What about the other women who refused to get married? A263: If they refused to get married, they would like to

die, and then they went there [...] Q: When you agreed to get married, what happened later? A265: After I agreed to get married, they took me to the wedding place in Stung Hav, Kampong Som [...] Q: Did you know your husband in advance? A266: No, I did not [...] Q: Where was the wedding held? A273: The wedding was held at a hilly area of Stung Hav [...] Q: Who joined the wedding? A275: During the wedding, there were seven women including me. The men were already there because it was their place. Q: How many men who had to get married were there? A276: There were seven men”]; **D114/32** Meas Saran WRI, A2-6, 10 [“I want to emphasise that I was forced to get married to a soldier from Battalion 160, which was under Division 3. Q: Can you tell us what month in late 1975 this happened? A3: Sorry, I do not remember the exact month, but I do remember it was in late 1975 or early 1976. Q: Did other people who also marry during that time? A4: On that occasion, there were 71 couples, including mine. Q: How is it that you remember such an exact number? A5: They arranged the marriage for us in Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples. Q: When did you learn that they had arranged the marriage for you? A6: I did not know about the marriage arrangement in advance. At that time they invited me to join a meeting and then they arranged the marriage for me. [...] A10: When I arrived at the cinema, I was surprised because I saw many people there. I asked some of them what was going on and they told me that they were arranging a marriage ceremony. I wanted to escape, but I could not because there were soldiers on both sides of the room”]; **D114/78** Svay Sameth WRI, A22-25, 30, 32, 34 [“Q: Tell me about the wedding policy at Division 164? A22: Each spouse did not know their partner before their marriage. This happened to me and other people too. In my case, I was told just a day prior that wedding that I would get married the following day. We did not know each other, nor did we date our lovers like people do in the present day. At that time we had to get married as ordered. Q: Did you have to remain married? A23: Yes we did. Q: Why did you do so? A24: I do not know. We did not reject their request because we were afraid we would be killed. Q: Who were they? Who made the arrangements? A25: They were the people from the regiment. An assistant from the regiment told me that I had to get married. [...] Q: Where was the wedding held? A30: It was held in Kampong Som Province [...] Only three couples were arranged to get married at the logistics office at that time. [...] Q: Did you ever tell the Khmer Rouge that you did not want to get married? A32: I did not argue with them because I noticed that those who did not get along with each other after getting married would lose the upper echelons’ trust. They said that we did not follow Angkar’s arrangement if we refused. [...] Q: Was the wedding policy applied to all the people in the division? A34: This policy was generally applied to everyone”]; **D114/83** Sok Neang WRI, A45 [“Q: Were there any weddings in Division 164? A45: I know a lot about these weddings because they often held them. Generally a woman dared not refuse her arranged marriage. Sometimes, a collective wedding of two, three or five couples was held”]; **D59/1/1.7a** Mak (Ma) Chhoeun DC-Cam statement, EN 00969946, 00969949-50 [“Q: When did you get married? Chhoeun: In 1976. Q: In 1976! Where did she work at the time? Chhoeun: She was with a female soldier unit. [...] Q: Was that female battalion unit situated in Kampong Som? Chhoeun: Yes [...] Q: ... when you got married how many couples were married at the time? Chhoeun: There were several couples. It was held in Kampong Som. Vat: 30 people Q: 30 people. How was the marriage organized? Chhoeun: We were called to gather up for the marriage. Q: Were there only cadres who got married or were there also combatants? Chhoeun: It was mixed. Vat: They were mixed. There were some cadres. [...] Q: Who gave instruction for you to get married? Vat: Ta Mut. [...] Q: How did you know her and get married to her? Did you fall in love with her first and ask for permission to marry her? Chhoeun: No. We knew each other. For instance soldiers in the transport unit knew each other. When I saw her I proposed to her and I asked her whether she loved me or not. She said she loved me. So that’s how it went. If she did not love me, it’s up to her. Some people, however, were arranged. Some did not like each other so problems ensued later on. And there were some couples who fell apart”]; **D114/53** Uk Sok WRI, A180, 184-85, 333-334 [“Q: When did you get married? A180: In 1978. [...] Q: You said that you left the children’s unit the second time in 1977 and you got married in 1978. What did you do in 1978? A184: I worked in the women’s unit in Smach Daeng Village near Kang Keng airport. Q: What was the name of the cooperative? A185: Smach Daeng cooperative. [...] Q: Did other people in the cooperative also get married like you? A333: Yes they did. Q: [...] Were other people also forced to get married like you? A334: They did not just get married at that time. They got married before that time. They were soldiers’ wives and were brought to stay there”]; **D11/387/1** Sam Vuthy CPA, EN 00991851 [“In June 1978, the applicant was sent back to build Pott Threung Dam. When he arrived in Smach Daeng Village, Comrade Lonn and the Chief of Commune [...] forced him to marry Comrade Pheap together with 20 other couples, but the wedding was cancelled because Comrade Pheap was sick, and the group of men and women were uprising and escaped to Vietnam”]; **D114/91** Seng Ol WRI, A173 [“Q: In your unit, were there any young women who were sent to

marry soldiers who served in the infantry or the navy? A173: Yes, there were. In 1976 or 1977, they had me select four or five young women to marry soldiers in Kampong Som [...] The truth was they volunteered to go. I took those young women to them, and they took them to Kampong Som by car. Actually, I do not remember how many of them, maybe ten"; **D114/36.1.64** Seng Ol WRI, A20 ["Q: In your women's unit, did the army ever come to make marriage proposals for handicapped troops? A20: In 1977 or 1978, the army came to request women from my unit to be married in Kampong Saom. Proposal letters were sent from the army to my commune, and the Commune Com told me to select women to go to Kampong Saom, saying that the army had requested them. At that time, neither I nor the women selected to go knew that they were being taken away to marry handicapped soldiers [...] I selected about three to five women from my unit"]; **D114/95** Yoem Sroeung WRI, A245, 248, 250, 252-254 ["Q: Did you ever see soldiers in Division 164 getting married during that regime? A245: Yes. [...] Q: Were weddings organised by committee? A248: Yes. The committee was made up of chairmen, for instance Han, Chhav, and so on. [...] Q: How many couples were at each wedding? A250: There were sometimes three, five, or seven couples. Sometimes, there were only two couples or even just one couple. [...] Q: Had those couples chosen their own partners, or had someone selected their partners for them? A252: Some couples were arranged to get married, and some couples married voluntarily. Q: Who arranged the weddings? A253: The people who arranged the wedding were the leaders such as Meas Muth, Han, and so on. [...] Q: Why did you say that Meas Muth arranged people to get married? A254: Because he was commander"]; **D114/103** Liet Lan WRI, A60-62, 174-178 ["Q: When did you return? A60: In 1978. Q: Do you remember the month? A61: I have forgotten. I have completely forgotten. Q: Was it at the end or at the beginning of the year? A62: At the end of 1978 [...] A174: I do not know, but the marriage was arranged by Nhan. I think that the Division Chairman knew this. Q: Who attended your wedding? A175: It was attended by many cadres from the Navy and the Army [...] Q: Did any important person attend your wedding? A176: Ta Nhan was the highest-ranking cadre in attendance. Q: Where were you wed? A177: At Ta Muth's home in Kampong Som. Q: Did Ta Muth attend your wedding? A178: Ta Muth was busy fighting Vietnamese and helping command troops in Phnom Penh"]; **D54/29** Liet Lan WRI, A3-4, 7 ["a radio operator contacted me telling me Meas Mut wanted to see me at his home. When I arrived at the port, a motorbike was already there waiting for me. When I arrived at his home near Kampong Som Market, I saw that [some] high ranking cadres had already gathered there. Initially, I had no idea what was going on there. Soon, Ta Nhan called a bride to come out and then he declared wedding ceremony. [...] I said nothing because was not happy with the event as I had not known anything about it. Ta Nhan asked me where I was from. I told him I had never betrayed the Party, but the Party betrayed me. Then the bride's parents and the high ranking cadres declared we were husband and wife. [...] A4: I was married in 1978. I cannot confirm the exact date of my marriage. Two months after my marriage, the Vietnamese arrived in Kampong Som. [...] Q: Did you ever know if such marriages happened to any other people in Division 164? A7: Yes, there were cases of such marriages but I do not remember the names of the affected people. I heard that, in some cases, two to five couples were arranged to be married at the same time I also heard that some new couples even mistook their respective partners"]; **D114/66** Chet Bunna WRI, A29 ["Q: Now let us change the subject to speak about the marriage arrangement that was done in the Division 164 at that time. How was the arrangement made for any persons who wanted to get married and for those who had to get married? How was the request for the marriage made? A29: I saw only one wedding in which there were ten couples of brides and grooms. In that wedding there were Ta Seng, Ta Meoun and other leaders"].

⁵⁵⁵ **D114/32** Meas Saran WRI, A2-6, 10 ["Q: Do you remember that you informed us that you were forced to get married to a soldier from Division 164? Is it right? A2: No it is not. I want to emphasise that I was forced to get married to a soldier from Battalion 160, which was under Division 3. Q: Can you tell us what month in late 1975 this happened? A3: Sorry, I do not remember the exact month, but I do remember it was in late 1975 or early 1976. Q: Did other people who also marry during that time? A4: On that occasion, there were 71 couples, including mine. Q: How is it that you remember such an exact number? A5: They arranged the marriage for us in Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples. Q: When did you learn that they had arranged the marriage for you? A6: I did not know about the marriage arrangement in advance. At that time they invited me to join a meeting and then they arranged the marriage for me. [...] A10: When I arrived at the cinema, I was surprised because I saw many people there. I asked some of them what was going on and they told me that they were arranging a marriage ceremony. I wanted to escape, but I could not because there were soldiers on both sides of the room"]; **D114/113** Koem Men WRI, A232 ["Q: Was it common for them to arrange marriages for many couples at the same time? A232: When I got married, there were only three couples getting wed. I did not know what happened on

another occasions. I heard that when Yuth got married, there were ten couples”]; **D230/1.1.631d** Sam Bung Leng CPA, EN 00477162 [The complainant was asked by a battalion named Ta Chuob to choose a future spouse. Then the complainant told the battalion that he already had a fiancée. There were 50 couples married at the same time at Kâng Keng Airport in Kampong Saom Province. All of them were soldiers of Division 3]; **D59/1/1.7a** Mak (Ma) Chhoeun DC-Cam statement, EN 00969946 [“Q: When did you get married? Chhoeun: In 1976. Q: In 1976! Where did she work at the time? Chhoeun: She was with a female soldier unit. [...] Q: Was that female battalion unit situated in Kampong Som? Chhoeun: Yes [...] Q: ... when you got married how many couples were married at the time? Chhoeun: There were several couples. It was held in Kampong Som. Vat: 30 people”].

556 **D54/29** Liet Lan WRI, A3, 8 [“a radio operator contacted me telling me Meas Mut wanted to see me at his home. When I arrived at the port, a motorbike was already there waiting for me. When I arrived at his home near Kampong Som Market, I saw that [some] high ranking cadres had already gathered there. Initially, I had no idea what was going on there. Soon, Ta Nhan called a bride to come out and then he declared wedding ceremony. [...] A8: I think Ta Mut was the initiator of my marriage. I did not know exactly the reason behind it, but I thought he wanted me to be one of his relatives because my wife was a blood relation of his”]; **D59/1/1.7a** Mak (Ma) Chhoeun DC-Cam statement, EN 00969946-49 [Commander of Battalion 560: “Q: When you got married, how many couples were married at the time? Chhoeun: There were several couples. It was held in Kampong Som. Vat: 30 people. Q: 30 people. How was the marriage organised? Chhoeun: We were called to gather up for the marriage. [...] Q: Who gave instruction for you to get married? Vat: Ta Mut”]. *See also* **D114/95** Yoem Sroeng WRI, A253 [“The people who arranged the wedding were the leaders such as Meas Muth, Han, and so on”]; **D114/91** Seng Ol WRI, A247-248 [“Q: When you sent the young women to another province, did you have to have permission from the district level? A247: In general, the district ordered the commune, and I received orders from the commune. Q: Does that mean that if Si made a request, the district level must have given their approval? A248: That sounds about right, given that it was their administrative structure”].

557 **D54/29** Liet Lan WRI, A3 [“a radio operator contacted me telling me Meas Mut wanted to see me at his home. When I arrived at the port, a motorbike was already there waiting for me. When I arrived at his home near Kampong Som Market, I saw that [some] high ranking cadres had already gathered there. Initially, I had no idea what was going on there. Soon, Ta Nhan called a bride to come out and then he declared wedding ceremony”]; **D114/113** Koem Men WRI, A225-226, 228-229 [“Q: Did you get married during the Khmer Rouge regime? A225: Yes, I did. I got married in late 1977 or early 1978. Q: How did you meet your wife? A226: She served as a medical staff in Kampong Som, and the upper level arranged the marriage for us. I did not know her before the wedding. Ta Nhan who replaced Ta Chhan arranged the marriage for us. [...] Q: You said that Nhan arranged the marriage for you. Did you serve in his division? A228: Yes, I did. I served in Division 164. Q: Did the division arrange weddings for many couples in Kampong Som? A229: They arranged a wedding for three couples. [...] Three women sat opposite three men. Nhan sat at the head of the table”]; **D114/78** Svey Sameth WRI, A22, A29-30 [“Q: Now, let's change the subject. Tell me about the wedding policy at Division 164? A22: Each spouse did not know their partner before their marriage. This happened to me and other people too. [...] Q: Who presided over the wedding? A29: Nhan, along with two other people, presided over my wedding. An was one of them. Q: Where was the wedding held? A30: It was held in Kampong Som Province”]. *See also* **D114/66** Chet Bunna WRI, A29 [“Q Now let us change the subject to speak about the marriage arrangement that was done in the Division 164 at that time. How was the arrangement made for any persons who wanted to get married and for those who had to get married? How was the request for the marriage made? A29: I saw only one wedding in which there were ten couples of brides and grooms. In that wedding there were Ta Seng, Ta Meoun and other leaders”].

558 **D114/78** Svay Sameth WRI, A30 [“Q: Where was the wedding held? A30: It was held in Kampong Som Province. The wedding was held near the present statue of lions. Only three couples were arranged to get married at the logistics office at that time”]; **D114/32** Meas Saran WRI, A5 [“They arranged the marriage for us in Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples. Q: When did you learn that they had arranged the marriage for you? A6: I did not know about the marriage arrangement in advance. At that time they invited me to join a meeting and then they arranged the marriage for me. [...] A10: When I arrived at the cinema, I was surprised because I saw many people there. I asked some of them what was going on and they told me that they were arranging a marriage ceremony. I wanted to escape, but I could not because there were soldiers on both sides of the room”]; **D114/113** Koem Men WRI, A234 [“Q: From your recollection, from 1975 to 1979, were all the marriages arranged by the division [164]?”]

A234: The wedding ceremonies took place at the division. The military arranged the marriages for them, given that their chairpersons were battalion or regiment chairmen. If you served in a small unit, your unit committee arranged marriage for you”].

559 **D54/71** Mut Mao WRI, A18-20, 28 [“Q: Can you describe the place where you stayed with Meas Mut after you left Sokha Guesthouse? A18: That place was called Inner Office of Division 164. If you travel from Phsar Leu Market to the Two-Lions Circle, when you arrive at the curve you can turn right at the major road-crossing and after about 500 metres, you will reach the location of the division’s Inner Office [...] Q: What was the function of that Inner Office of Division 164? A20: It was the house where Meas Mut stayed. [...] A28: There were different buildings in the compound of the Inner Office. At that site there were a dining hall, Meas Mut’s house, living quarters for messengers and others, a telegraph office, and a broadcasting office, which was located near the Two-Lions Circle”]; **D54/17** Say Born WRI, A4-5 [“The location of an office/residence of Meas Mut, Commander of Division 164, was near the lion statue, where he often met his subordinate commanders and where he issued orders via his messengers: Q: Was the lion statue in Krong Preah Sihanouk near Meas Mut’s office in the time of Democratic Kampuchea? A4: Yes, a lion statue is still standing in the same location, but it is not the old statue. Q: How did you know that Meas Mut’s location was near a pond? A5: One day, I went there with a friend who was a division messenger. I went there in approximately late 1975 with that messenger. I did not get close to Meas Mut’s residence. I saw it from a distance of about 40 or 50 metres. The residence was near the pond that is still there. The long house was made of timber. As far as I know, Meas Mut worked and lived in that house because I do not know any other place where he worked”]; **D54/26** Pak Sok WRI, A3 [“Q: How far was it from the house where Meas Mut was staying to Meas Mut’s office? A3: Meas Mut’s command office and the house he was staying were around two kilometres away from Wat Enta Nhien Pagoda. Meas Mut’s house was at his working office”].

560 **D114/78** Svay Sameth WRI, A34 [“Q: Was the wedding policy applied to all the people in the division? A34: This policy was generally applied to everyone”].

561 **D114/32** Meas Saran WRI, A2-5 [“No it is not. I want to emphasise that I was forced to get married to a soldier from Battalion 160, which was under Division 3. Q: Can you tell us what month in late 1975 this happened? A3: Sorry, I do not remember the exact month, but I do remember it was in late 1975 or early 1976. Q: Did other people who also marry during that time? A4: On that occasion, there were 71 couples, including mine. Q: How is it that you remember such an exact number? A5: They arranged the marriage for us in Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples”]; **D114/113** Koem Men WRI, A232 [“Q: Was it common for them to arrange marriages for many couples at the same time? A232: When I got married, there were only three couples getting wed. I did not know what happened on another occasions. I heard that when Yuth got married, there were ten couples”]; **D114/117** Nav Sokhan WRI, A256-257, 262-263, 265-266, 273, 275-276 [“Q: After arriving in Kampong Som, how many days afterwards did they order you to get married? A256: I arrived there about a month before. Q: Therefore you got married in October 1977. Is that correct? A257: Yes, it is [...] Q: When they came to order you to get married, what happened? A262: They told me to get married, but I refused. She told me that if I refused, they would take me to be detained in prison. Therefore, I agreed to get married. Q: What about the other women who refused to get married? A263: If they refused to get married, they would like to die, and then they went there [...] Q: When you agreed to get married, what happened later? A265: After I agreed to get married, they took me to the wedding place in Stung Hav, Kampong Som [...] Q: Did you know your husband in advance? A266: No, I did not [...] Q: Where was the wedding held? A273: The wedding was held at a hilly area of Stung Hav [...] Q: Who joined the wedding? A275: During the wedding, there were seven women including me. The men were already there because it was their place. Q: How many men who had to get married were there? A276: There were seven men”]; **D230/1.1.631d** Sam Bung Leng CPA, EN 00477162 [The complainant was asked by a battalion named Ta Chuob to choose a future spouse. Then the complainant told the battalion that he already had a fiancée. There were 50 couples married at the same time at Käng Keng Airport in Kampong Saom Province. All of them were soldiers of Division 3]; **D59/1/1.7a** Mak (Ma) Chhoeun DC-Cam statement, EN 00969946 [“Q: When did you get married? Chhoeun: In 1976. Q: In 1976! Where did she work at the time? Chhoeun: She was with a female soldier unit. [...] Q: Was that female battalion unit situated in Kampong Som? Chhoeun: Yes [...] Q: ... when you got married how many couples were married at the time? Chhoeun: There were several couples. It was held in Kampong Som. Vat: 30 people”].

562 **D54/98** Heang Ret WRI, A38 [“Meas Muth was appointed commander of Division 3 in 1973 when this division was established”]; **D54/43** Lon Seng WRI, A5 [“Division 3 was a division under the Southwest Zone

which had been established by Ta Mok in 1973”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678538 [“In 1973 Muth rose to become secretary of the 3rd Southwest Division”]; **D114/186** Sath Chak WRI, A1 [“I used to be his subordinate since 1973 when I was in Division 3”]; **D114/181** Sem Kol WRI, A7 [Meas Muth “was in Brigade 3. The brigade commanded three regiments. That was in 1973”]; **D114/113** Koem Men WRI, A15 [“Q: In what year were you assigned to serve in Division 3? A15: In early 1974. I am not certain about the exact date, but it must have been between 1973 and 1974”]; **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693, KH 00741996 [“In 1974 he was appointed the political officer for the newly-formed Khmer Communist 3rd Division”]; **D234./2.1.91** Prum Sarat, T. 25 Jan 2016, 15.18.30-15.22.54 [“it was in 1974. The Division 3 came into existence in that Southwest Zone”]; **D54/7** Dol Song WRI, A6 [“In 1973 or 1974, Battalion 104 was incorporated by Ta Mok into Division 3 of the Southwest Zone”]; **D54/20** Sam Saom alias Sam Ket WRI, A1 [“In 1973, they assigned me to work in Division 3”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968373-74, KH 00926602 [“Q: On the first of January 1974, did they organize the Zone Army as Division Number 3? A: Division Number 3. Q: Was Division Number 3 created that day? A: Yes, it was created that day”]; **D114/132** Mao Ran, A17 [“In 1974 when the division was first organised, I only knew that we were under the command of Division 3, which was commanded by Meas Muth”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A1, 24 [“When were you first sent to Division 3? A1: I entered Division 3 in April 1974 [...] A24: Division 3 [...] was created in 1974”]; **D2/8** Say Born WRI, A21, 28 [“Then in 1974, they sent me to join the Zone military unit [...] it might be in mid 1974 [...] A28: I was put in the Division 3. So, that Division had existed already since before I joined it”]; **D54/46** Em Sun WRI, A27-28; **D54/99** Lay Boonhak (Bunhak) WRI, A17; **D2/6** Nhoung Chrong WRI, A9; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115964-65, KH 00990754-55; **D4.1.759** Khem Ngun US POW/MIA Statement, EN 00387265, KH 00658135.

563 **D54/35** Brak Sokha WRI, A10 [“Battalion 430 was under Division 3, whose commander was Ta Mut. Ta Mok was chairman of the Southwest Zone”]; **D54/7** Dol Song WRI, A6 [“In 1973 or 1974, Battalion 104 was incorporated by Ta Mok into Division 3 of the Southwest Zone”]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969926, KH 00926304 [“Q: Did division 3 belong to the Sector? A: It belonged to the Zone, that is Ta Mok’s Zone”]; **D54/92.1** Yem Sam On DC-Cam Statement, EN 01063506, KH 00958347.

564 **D54/42.1** Heng Viech DC-Cam Statement, EN 00983438, KH 00967564, FR 00996810 [About Division 3, in 1974: “There were many soldiers, around four or five thousand [...] If that division was sent to the front line for a week, and ten or a few hundred soldiers were killed, letters would be dispatched to villages and communes, and more soldiers would be sent as reinforcements immediately [...] There was no shortage of soldiers”].

565 **D54/35** Brak Sokha WRI, A10 [“Battalion 430 was under Division 3, whose commander was Ta Mut. Ta Mok was chairman of the Southwest Zone”]; **D98/1.1.6** Nut Nov (Nut Nouv) WRI, A30; **D54/7** Dol Song WRI, A6; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969926, KH 00926304; **D98/3.1.176** Meas Voeun DC-Cam Statement, EN 00849510; **D54/51** Meas Voeun WRI, A4, 24; **D1.3.33.15** Khieu Samphan WRI, EN 00156751 [“The standing committee consisted of seven members: Pol Pot, Nuon Cheal, Vorn Vet, Sao Phim, Ta Mok, Son Sen and Ieng Sary”]; **D4.1.964** Ieng Sary DC-Cam Statement, EN 00417600 [“A. Virtually all of the Standing Committee was there: Pol Pot, Nuon Chea, Sao Phim, me, Son Sen, Ta Mok [...] Vorn Vet”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147521 [“Related to the seven important individuals in the Party: [...] Fourth was Ung Choeun alias Mok, who was responsible for the Southwest Zone”]; **D1.3.33.10** Kaing Guek Eav alias Duch WRI, EN 00195577 [mentioning Pol Pot, Nuon Chea, Sao Phim, Ta Mok, Ieng Sary, Son Sen and Vorn Vet as members of the CPK Standing Committee].

566 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693, KH 00741996 [“In 1974 he was appointed the political officer for the newly-formed Khmer Communist 3rd Division. The southwestern region command created the 3rd Division from elements of Sector 37 and independent southwestern region battalions”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A212 [“Meas Muth was Ta Mok’s son-in-law [...] (Meas Muth’s previous wife was Ta Mok’s daughter)”]; **D54/43** Lon Seng WRI, A5 [“Afterwards, I was sent to the zone to become a zone military officer in Division 3. Ta Mok established Division 3 and appointed Meas Mut as its chief. Later, ta Mok selected and screened the military officers before they were allowed to join the division”]; **D54/46** Em Sun WRI, A26 [“Q: Who was Commander of Division 3 [...] A26: Meas Mut”]; **D59/1/1.29** Nget Chanthau DC-Cam Statement (Military Medic), EN 00968434, KH 00733609 [“It was Ta Mut, the son-in-law of Ta Mok”]; **D114/158** Kaing Guek Eav alias Duch WRI, A22 [“Brother Muth was Brother Mok’s son-in-law”]; **D4.1.911** Iep Duch WRI, EN 00223474 [“female Comrade Khom, the daughter of Ta Mok. Later Khom became the wife of Ta Muth”]; **D114/216** Meas Im WRI, A22 [“[Meas

Muth's first wife] died in either 1975 or 1976. [She] died of a mental illness"; **D114/65** Chet Bunna WRI, A6; **D54/81** Hing Uch WRI, A14; **D114/104** Iem Phong WRI, A50; **D54/62** Moeng Vet WRI, A16; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115965, KH 00990754-55; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974079, KH 00926525; **D54/112.1**, **D59/1/1.10a** Phlong Chhea DC-Cam Statement, EN 00968344-45, KH 00926490; **D4.1.759** Mao Rann US POW/MIA Statement, EN 00387267, KH 00658139.

The name Long Roeun (Regiment Secretary) appears in two General Staff Reports: **D1.3.30.6** DK General Staff Report, *Second General Staff Study Session – Second Session – Table of Participant Statistics*, 23 Nov 1976, EN 00195333, KH 00008467, FR 00623211 [No.210, Long Roeun, Secretary, Regiment, Division 164]; **D1.3.8.8** DK General Staff Report- *Second General Staff Study Course*, EN 00535795, KH 0006512, FR 00504103 [Listing Long Roeun as the Head of the second Division 164 group for the "Revolutionary Self-Criticism"]].

D54/99.1 Lay Bunhak DC-Cam Statement, EN 01115965, KH 00990755 ["Q: Who else were on the Division Committee? A: The other person was Sarin, alias Rin"]; **D54/82** Hing Uch WRI, A17 ["Yesterday, I talked about Saroeun. I suspect that Roeun and Saroeun were the same person. Among the cadres, his name was heard more than the others, and I knew him well too"]; **D54/10** Meu Ret alias Saret WRI, A11 [In 1975: "I only know that Nget and Rin were Ta Mut's deputies"]; **D114/95** Yoem Sroeng WRI, A66 ["They were all under Meas Muth. For instance, Nget was Meas Muth's deputy"]; **D2/8** Say Born WRI, A27 ["Meas Mut was secretary of the Division and Rin was the deputy"]; **D2/9** Say Born WRI, A32 ["Q: Did you remember before Dim became the deputy, who was the deputy? A32: Before the Division number was changed, its deputy was Rin who was Dim precedent"]; **D114/113** Koem Men WRI, A16 ["Q: Did you know who the division deputy commander was? A16: [...] He was Brother Rin"]; **D114/285** Prum Sarat (Bun Sarath) WRI, A34 [Up until April 1975, "The commander of Division 3 was Meas Muth. The deputy commander was Rin"]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974079, KH 00926526 ["Q: Who else was in charge of the division besides Ta Mut? A: There were Ta Mut and Ta Rin [...] but the division became the marines division later in 1975"]; **D54/24.1** Pak Sokh DC-Cam Statement (corrected by Pak Sokh during OCIJ interview), EN 00978566, KH 00955493 ["[Annotation] *Ta Saroeun was a deputy of Ta Mut. He was not the most senior leader of the Division. Ta Mut was the top leader overall in charge of the Division 3 at that time*"]. Meas Muth mentions Saroeun in the Division 3 committee, although his description of the various positions within it (including of his own role) is deceptive: **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249695, KH 00741992 ["The command committee of the 3rd division included: Chhan – Division Commander, he was in command during the Mayaguez Incident but was in Kampong Som and Ream. Saroeun, Deputy Commander. Meas Mut, Political Officer. Nhan, Member of the Committee for Logistics. Lon, Chief of Logistics" (*emphasis added*)]; **D114/186** Sath Chak WRI, A10-11 ["Q: In 1974, when you joined Division 3, which regiment were you in? A10: I was in Regiment 15. Q: Who was its commander? A11: Saroeun (male) was"]; **D54/43** Lon Seng WRI, A2 ["Meas Mut was the political commissar. There were three regiments within Division 3, and each regiment was controlled by a commander. I only remember my regiment chief, Bang Saroeun"]].

See, e.g., **D54/10** Meu Ret WRI, A10, 22 ["Q: Did you know a person named Saroeun in Division 3 or Division 164? A10: I knew Saroeun when the Regiment 140 was first created. Saroeun was the commander of that regiment [...] A22: (commenting about document **D1.3.14.2**, EN 00233944-45, KH 00161788-89) ["The second document [...] The person named Roeun mentioned in this telegram was Saroeun – the Commander of Regiment 140 whom I just mentioned"], **D114/103** Liet Lan (Nam Lan) WRI, A36 ["Q: Who was commander of the Navy? A36: Saroeun"]; **D54/98** Heang Ret (Hieng Reth) WRI, A28 ["Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng"]; **D114/132** Mao Ran WRI, A176; **D114/48** Sok Ngou WRI, A20; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 ["The first leaders included Ta Saroeun [...] Saroeun was the chairman"]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014.

D2/8 Say Born WRI, A45 ["Nget was the commissar of the Regiment 20 or 61 [...] The commissars were not changed before and after the fall of Phnom Penh"]; **D54/7** Dol Song WRI, A8 ["Nget was the Political Chairman of Regiment 20"]; **D54/8** Dol Song WRI, A4 ["Nget, Commander of Regiment 20"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963712, KH 00926446 ["Q: Was it Regiment 20 under Nget's command? A: Yes"]. According to S-21 documents and some witnesses, Nget retained a position of simple member within the Division 3/164 committee after being demoted from his former deputy commander position: **D114/230.1.1** OCIJ S-21 Prisoner List, No. 5342 [Division 164 member; entered S-21 in June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 26; **D114/89** Seng Sin WRI, A15 ["In

Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander, and Nget was a member”; **D114/282** Ek Ny WRI, A12 [“The people at the division level included Chhan, Uncle Ngeth, Brother Yan, and Brother Dim”]; **D54/104** Ek Ny WRI, A4 [“Men Nget was a member of Division 164. He was arrested”]; **D114/95** Yoem Sroeng WRI, A64, 66 [“Q: Can you tell us the names of people you knew who were taken away? A64: They were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA [...] A66: For instance, Nget was Meas Muth's deputy. Dim was under Meas Muth at the division level. Chhan was also at the division level. Yan was a regimental chairman. Sokh was division medical chairman”].

571 **D114/263** Chum Chy WRI, A49 [“These troops at that time were set up with full company and platoon orders of battle, none falling short. Calculated as a full unit of organization, a battalion had 300, a company 100 and a platoon 30 for a platoon”]; **D54/43** Lon Seng WRI, A10 [“A group of three people reported to a squad of 12 people. The squad chief reported to a platoon. The chain of command started with a group of three people. The group chief reported to the squad chief. The squad leaders were a committee consisting of three people [...] From squad to division, these three formed the committee, and they had to report, in turn, to the next-level unit committee. The unit chief reported to the chief of next-level unit up [...] In short, the group reported to the squad. The squad reported to the platoon. The platoon reported to the company. The company reported to the battalion. The battalion reported to the regiment. The regiment reported to the division [...] The report had to be made every three days except when there was fighting on the battlefield, and they would have to report immediately”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A106 [Referring to Division 3/164: “In the army, usually on the top, there were the division and the regiments. From the regiments, there were the battalions. From the battalions there were the companies. From the companies there were platoons. From the platoons there were squads. The final units were groups. Group was in the military framework too”]; **D54/36** Brak Sokha WRI, A4.

572 **D54/43** Lon Seng WRI, A9 [“The report mainly focused on what happened on the battlefield as well as the daily livelihood of military officers, their morality, disciplinary issues and social affairs such as helping the people transplant seedlings, harvest rice and treating people when they were sick. Apart from the battlefield report, the political commissar was also responsible for politics, attitudes and assignments”].

573 **D54/43** Lon Seng WRI, A10 [“They regarded reporting as the most important duty that we had to do absolutely, especially reports concerning the enemy situation”].

574 **D54/43** Lon Seng WRI, A10 [“There were three means of reporting. We could report orally, through letters or over the radio. We had to ensure the report reached our intended recipient”].

575 **D54/43** Lon Seng WRI, A8 [“Each regiment had its own political commissar who reported to Meas Mut, the political commissar of the division. Meas Mut reported to Ta Mok, who was the zone chief. Ta Mok reported to the center”].

576 **D54/100** Lay Boonhak (Lay Bunhak) WRI, A23, 28-30, 38 [“Launh was a leader in the autonomous sector [...] Q: In your interview with the Documentation Center of Cambodia, you said that Kampong Som was an autonomous sector. When was this autonomous sector created? How was it created? A28: As far as I knew, the central government gave direct orders to the autonomous sector, and no-one else could give orders to this sector. Q: Who gave direct orders to the autonomous sector? A29: I just knew only the Centre did. I came to know this during a meeting when they said that Kampong Som was an autonomous sector. Q: Was that meeting held in your regiment? A30: I came to know that Kampong Som sector was an autonomous sector because I joined a meeting in the regiment and the internal meeting of Party members. Workers at the rubber plantation, workers at the port, and soldiers in Kampong Som all knew that Kampong Som sector was an autonomous sector because this information was widely disseminated [...] Q: Who was the instructor for the political education course? A38: Division Secretary Meas Muth”]; **D114/286** Heang Ret (Hieng Reth) WRI, A30 [“Division 164 was supervised by the Military General Commander. For military, they went to the Military General Commander, and for administration or province, they went to their administration. As I knew, General Commander was Son Sen”]. *See also* para. 220.

577 **D2/6** Nhoung Chrong WRI, A9 [“Q: Before the fall of Phnom Penh, Regiment 22 operated in the areas of Bek Chan, Tuol Leap, Choam Chao, and Doh Kanhchor [...] ? A9: Yes”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968376, KH 00926604-05 [“Until 1974 [...] It went to fight in many places. In 1974, it left [the area south of] Phnom Penh to fight in Kampot [...] In April of the same year, it went to fight in Kampot [...] Then it left there, and went to fight in Longveack in the month that I do not remember”]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963713, KH 00926446-47 [“Q: You left and fought for Phnom Penh, didn't you? A: I fought at Doh Krachor”].

- 578 **D54/43** Lon Seng WRI, A6-7 ["Q: During the fighting for Phnom Penh, who ordered Division 3 to enter Phnom Penh? A6: Ta Mut, who was the commander of Division 3. Q: When they entered Phnom Penh where was the Division 3 headquarters located? A7: Division 3 headquarters, under Meas Mut's command, was located at Phnum Tmat Pong during the fighting for Phnom Penh"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963713, KH 00926447 ["Two months later, in November, we were sent to Phnom Penh sector and to fight at Thmat Prong in preparation for our fighting for Phnom Penh in 1975. We started to fight for Phnom Penh on 1 January 1975"]. See also on previous Division 3 headquarters' locations: **D2/8** Say Born WRI, A35, 37 ["at that time the headquarter of the Division 3 might be in the area south of the National Road 4, an area south of Trapeang Krleung in Kampong Speu province [...] the commissar, who was the Party Secretary in charge of general things and education, had the base on the north part of the National Road 4 in an area called Trapeang Korng which was a safer place [...] A37: At that time the Division did not stay in the same one place all the time. They moved the command base from place to place to prevent it from being bombed by the aircraft"]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387311, KH 01506012 ["At that time, the division was based at Ang Song Kai Village (CNA), Phnom Sruoch District, Kampong Speu Province, CB"].
- 579 **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968376, KH 00926604 ["it entered Phnom Penh through, initially, Thnal Totoeng"].
- 580 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693-94, KH 00741996 ["When Phnom Penh fell to communist forces on 17 April 1975, Meas Mut and the 3rd Division were on the National Route Four Front at Trapeang Tnaot [...], Tuol Leap [...], and Aural Mountain [...] The Division did not enter Phnom Penh on 17 April 1975"]; **D4.1.759** Khem Ngun and Mao Rann US POW/MIA Statement, EN 00387265, KH 00658135 ["However, the 3rd Division was not permitted to enter Phnom Penh and remained in the Chom Chau Area near Pochentong Airfield, just outside of Phnom Penh"]; EN 00387267, KH 00658138 ["The Khmer Communist 3rd Division participated in the capture of Phnom Penh, but was not allowed into the City"]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969927, KH 00926304 [Q: "During that one month period, did you attack and advance towards Phnom Penh? A: I did. I fought to the west of Pochentong"]; **D59/1/1.14** Hing Uch DC-Cam Statement, EN 00970735, KH 00926675 ["I was at Pochentong during the liberation of Phnom Penh"]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974080, KH 00926526-27; **D4.1.751** Unknown US POW/MIA Statement, EN 00387257, KH 01519651.
- 581 **D2/8** Say Born WRI, A37 ["After the fall of Phnom Penh the Division was transferred to Kampong Som"]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A12 ["Next morning, on 18 April, the Battalion 420 and the special unit were sent to Kampong Som town"]; **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249694, KH 00741997 ["At 1600 hours on 17 April 1975 the 3rd Division was ordered to Kampong Som"]; **D114/215** Meas Im WRI, A18 ["He went to Kampong Som after 17 April 1975"]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387463, KH 00742598 ["On 18 April 1975, one day after the fall of Phnom Penh to communist forces, the 3rd division was ordered to Ream [...] and Kampong Som"]; **D54/10** Meu Ret alias Saret WRI, A2; **D4.1.748** Nhong Chhrong US POW/MIA Statement, EN 00387383, KH 01506151; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969927, KH 00926305; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974080, KH 00926525; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978566, KH 00955492; **D4.1.751** Unknown US POW/MIA Statement, EN 00387258, KH 01519652.
- 582 **D2/15** Touch Soeuli alias Soeu Touch WRI, A12 ["Next morning, on 18 April [...] The Battalion 420 was sent to station in Ream and the special unit was sent to Kampong Som"]; **D4.1.759** Khem Ngun US POW/MIA Statement, EN 00387265, KH 00658135 ["On 18 April 1975, the 3rd Division redeployed to Kampong Som (Sihanoukville), arriving on 21 April 1975. BG [Brigadier General Khem] Ngun was initially stationed in the Central Market area of Kampong Som and transferred to the Ream naval base approximately two months later"].
- 583 **D2/9** Say Born WRI, A1 ["When I first arrived in Kampong Som, the forces of my company unit were divided up with some of whom working with the peasants and others were assigned to protect the Kang Keng Airfield"]; **D2/6** Nhoun Chrong WRI, A13 ["Q: Battalion 550 stayed in Kang Keng Airfield for about 15 days before it was sent on to Koh Tang Island? A13: Yes, correct"]; **D59/2/3.17a** Yem Sam On DC-Cam Statement, EN 01063504 ["Q: Did the entire division have to go to Kang Keng? A: Yes. Only when we arrived there did it become apparent that all of Division 3 was present"].
- 584 **D114/95** Yoem Sroeung WRI, A35 ["We stayed at Kampong Som Port for two or three days; then we went to Ou Chheu Teal"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963714-15, KH 00926446-47 ["my

Regiment and the whole Division 3 were transferred to Kampong Som [...] We left on 17 April and arrived our destination on 23 April [...] We stationed at Ou Chheu Teal beach”].

585 **D54/33** Ing Chhon WRI, A10 [“Division 3 was under Ta Mut and was located somewhere in Kampong Som Town”]; **D54/93** Yem Sam On WRI, A66 [“Q: Did you know where the Division 3 Office was located? A66: It was located near an old cinema in Kampong Som on the street from the sea”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387463, KH 00742598 [“the 3rd division headquarters was in Kampong Som City”]. However, according to Meas Muth, Division 3 had first its headquarters in Ream: **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249694, KH 00741997 [“At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream”].

586 **D114/282** Ek Ny WRI, A6-7, 9 [“On 18 April, Division 3 entered Kampong Som. On 17 April, Kampong Som was not yet liberated. Division 3 assisted the sector’s army in fighting to liberate Kampong Som. Q: When you mentioned the sector army, did you refer to Sector 37? A7: Yes, I did [...] A9: At the beginning, the Division 3 forces did not know the geographical features of Kampong Som. Thus, later, the forces of Battalion 386 took the forces of Division 3 to be stationed in different locations because we owned the map”]; **D114/113** Koen Men WRI, A179-180 [“Q: When you were based on Koh Tang Island, do you know how many of the soldiers were from Sector 37? A179: Brother Chhan and his entire regiment, comprised of 3 battalions, came with me [...] A180: All of Brother Chhan's troops were from Sector 37”]; **D114/286** Heang Ret (Hieng Reth) WRI, A12 [“we took battalions of the Sector 37 Unit to merge into Naval Division of 164 and then we took control of the ships from them”]; **D114/260** Sorn Soth WRI, A6-9; **D114/104** Iem Phong WRI, A39.

587 **D4.1.754** Unknown DK Cadre US POW/MIA Statement, EN 00387427, KH 00791381 [Battalion 386 soldier speaking of the period following 17 April 1975: “Source comment – At the time, the 408th was not part of the 3rd Division”], EN 00387429, KH 00791383 [The following statement indicates that Division 3 Commander had authority over Battalion 386 and its companies, including Company 408, before July 1975: “After source was stationed on Poulo Wai Thmei island in April-May 1975, his unit captured a boat carrying more than 10 Vietnamese refugees, including women and children [...] After they captured the boat, the 408th commander contacted Kampong Som for guidance on the disposition of the refugees. The high command in Kampong Som ordered the commander to kill the refugees. The commander and his deputy carried out the order”]; **D4.1.749** Seng Sin alias Kon and Khieu Nuok US POW/MIA Statement, EN 00387442 [“When sources arrived on Tang Island, the 386th battalion, once under the command of Sector 37, was under the command of the former 3rd division, called the 164th division. Sources were members of the 2D platoon, 43rd company, 386th battalion, 62D regiment, 164th division”]; **D114/261** Chum Chy WRI, A2 [“at the fall of Phnom Penh in 1975, the unit of organization belonging to the Southwest Zone that they called Division 3 was sent to Kampong Som. Once that had been done, they then joined together the Sector 37 army and the Southwest Zone army called Division 3, joining them together to create Division 164”]; **D114/264** Chum Chy WRI, A36 [“Q: If these forces were a combination of Division 164/Division 3 and Sector 37 military units of organization, under whose overall command was this operation carried out? A36: Everything was under the overall command of Meas Muth”]; **D54/109** Sao Sam WRI, A3 [“After the liberation day on 17 April 1975, the soldiers of Sector 37 were dissolved and some of their soldiers were sent into Division 164”]; **D4.1.757** Unknown US POW/MIA Statement, EN 00387365, KH 01507817 [“About 15 days after the U.S. attack on Tang Island, the 19th company was transferred back to Tang Island. At that time, all three companies were no longer subordinate to the 386th, but were assigned to the 22D regiment, 3rd (164th) division”]; **D114/89** Seng Sin WRI, A8 [“After the liberation, Battalion 386 and some east units were required to combine with Division 3 in order to form the Centre Unit numbered 164”]; **D4.1.752** Unknown US POW/MIA Statement, EN 00387361, KH 01519660 [“the only other battalion associated with the 3rd division and Tang Island is the 386th battalion, sector 37”]; **D114/104** Iem Phong WRI, A30-31, 39 [“At that time, there was not a division yet. They called it the Sector 37 Unit. Q: Was that before or after Pol Pot took over Phnom Penh? A31: Before [...] A39: When I was at Koh Tang Island, I heard that they combined us into Division 3”]; **D114/178** Oem Sokhan WRI, A7; **D114/66** Chet Bunna WRI, A19; **D54/76** Uy Nhik WRI, A8-9; **D114/155** Sok Ren WRI, A64.

588 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693, KH 00741996-97 [“The Southwest region command created the 3rd division from elements of Sector 37 and independent southwestern region battalions”], EN 00249694, KH 00741997 [“At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream. The Division had four subordinate regiments numbered 37, 14, 15 and 16. The 37th Regiment was designated as such because it was made up of forces from Sector 37”].

589 **D114/282** Ek Ny WRI, A6-7, 9, 14, 21 ["On 17 April, Kampong Som was not yet liberated. Division 3 assisted the sector's army in fighting to liberate Kampong Som. Q: When you mentioned the sector army, did you refer to Sector 37? A7: Yes, I did [...]. A9: At the beginning, the Division 3 forces did not know the geographical features of Kampong Som. Thus, later, the forces of Battalion 386 took the forces of Division 3 to be stationed in different locations because we owned the map [...]. A14: Two companies of Battalion 386 and two companies of Division 3 stayed together on Koh Ses Island [...]. A21: The soldiers from the sector's army [37] and Division 3 were sent to Koh Polou Wai Island, Koh Polou Wai Thmei (New Polou Wai) Island, Koh Polou Wai Chas (Old Polou Wai) Island, Koh Rong Sanloem, Koh Rong Thom (Big Rong) Island, Koh M'noas Island, and Koh Tang Island. The rest of the forces were stationed on the mainland and worked on the naval boats"]; **D114/31** Moul Chhin WRI, A23 ["We, Battalion 336, knew the geographical area clearly, so they stationed us on the islands of Koh Rong Fa and Koh Rong Sanloem"]; **D54/12** Pres Mean WRI, A4 ["On 18 April 1975, Battalion 386 was sent to Ream. Two or three few days later, my unit was sent to defend Koh Ruessei Island"]; **D54/77** Uy Nhik WRI, A6 ["Around two weeks after liberation, Battalion 386 as a whole was deployed on Koh Rong Island, Koh Poulo Wai Island and Koh Tang and Koh Pring islands"]; **D54/101.1** Ek Ny US POW/MIA Statement, EN 00992727, KH 01509142 ["The division lack[ed] personnel and used the 386th battalion to provide personnel to man islands off the coast of Kampong Som"]; **D4.1.754** Unknown DK Cadre US POW/MIA Statement, EN 00387427, KH 00791381.

590 *See, e.g.,* **D2/8** Say Born WRI, A34 ["there were three regiments including Regiments 20, 21 and 22"]; **D54/7** Dol Song WRI, A8 ["In Division 3, there were Regiments 20, 21 and 22, a Special Battalion, and an Artillery Unit"]; **D4.1.751** Unknown US POW/MIA Statement, EN 00387258, KH 01519652 ["The division had three regiments, numbered 20 through 22, and the 450th Sapper Battalion"]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387278, KH 01496677 ["At the time of the fall of Phnom Penh, the Khmer Communist 3rd Division had three regiments – 20, 21, 22, and 23"]; **D4.1.759** Mao Rann US POW/MIA Statement, EN 00387267, KH 00658138-39 ["The 3rd Division was commanded by Meas Mut and Yim Seng was deputy. The division had three subordinate regiments numbered 20, 21, and 22"]. *See also* **D54/100** Lay Boonhak (Lay Bunhak) WRI, A33 ["The designations of the four regiments were as follows: 20, 21, 22, and 140 [...]. The number of the independent battalion was 450"].

591 In any case, they refer to the very same three regiments: **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249694, KH 00741997 ["At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream. The Division had four subordinate regiments numbered 37, 14, 15 and 16. The 37th Regiment was designated as such because it was made up of forces from Sector 37"]; Heang Ret first believed the Regiments were numbered 11, 12 and 13 before remembering there were 20, 21 and 22: **D114/286** Heang Ret (Hieng Reth) WRI, A9-10, 21 ["Q: In your previous interview, you mentioned Regiments 13 and 14, in document D59/1/1.11a, page 20. In this same list, on page 26, you talked about the marine unit of Unit 21 and Regiment 13. You added that, later it became Regiment 21 [...]. A9: Originally it was Unit 3 of Southwest Zone. There were Regiments 11, 12, 13 in it. But after that, in 1975, we took over Phnom Penh [...] the division convened a meeting to declare changes from Division 3 to Division 164 [...] Regiment 11 was changed to Regiment 161. Regiment 12 was changed to Regiment 162. Regiment 13 was changed to Regiment 163 [...]. A21: I just remembered that there were Regiments 20, 21 and 22. Regiment 20 became Regiment 161. Regiment 21 became Regiment 162. Regiment 22 became Regiment 23 [163]. There were also Regiments 11, 12 and 13. But they were not same as Regiments 20, 21 22. I did not know clearly if they used the 10s before the 20s or not"]; **D114/285** Prum Sarat (Bun Sarath) WRI, A2-3, 18, 20 ["I was in Battalion 540 in Regiment 15 of Division 3 [...]. A3: The regiment commanders were Yan (deceased) and Sros [...]. A18: There were only Regiments 13, 15 and 16 [...]. A20: We are talking about the framework of Division 3. Let me confirm about the locations. Regiment 16, which was under Yan, was stationed in Kang Keng. Regiment 15 was sent to the island. Regiment 13 was also sent to the island"]; **D114/186** Sath Chak WRI, A10 ["Q: In 1974, when you joined Division 3, which regiment were you in? A10: I was in Regiment 15. Q: Who was its commander? A11: Sareun (male) was"].

592 **D114/16** Sok Vanna WRI, A4-5 ["Ta Yan was the chairman of Regiment 33. As far as I knew, under Division 3, there were 3 regiments: Regiments 31, 32, and 33 [...]. Q: The other witnesses who were interviewed by us said that the old numerical designations of the three regiments under Division 3 were Regiments 20, 21, and 22 before Division 3 became Division 164, and later the numerical designations of those regiments were 61,62, and 63. A5: I am sure, and I remember that the numerical designations of those regiments were 31,32, and 33. Sari was the commander of Regiment 31 of the land-based army and was stationed at Kang Keng. Yan was the commander of Regiment 33 with its headquarters at Tuek Sab. I did not

know the name of the commander of Regiment 32. I just knew that the headquarters of Regiment 32 was located in Kampong Som Provincial Town”].

593 **D54/99** Lay Boonhak WRI, A17 [“Battalion 370 was under Regiment 20”]; **D4.1.751** Unknown US POW/MIA Statement, EN 00387258, KH 01519652 [“The 20th regiment had subordinate to it the 320th, 330th, and 370th Battalions”]; **D114/79** Kang Sum WRI, A31 [“There were three Battalions. They were Battalions 330, 320 and 310”]; **D114/186** Sath Chak WRI, A110, 116-117 [“310 was my unit. However, at that time, I was on Tang Island [...] A116: It was not a division; it was Battalion 310 [...] A117: Battalions 310 and 320”]; **D54/36** Brak Sokha WRI, A2, 9, 11 [Mentions the fate of Battalion 310 members who were considered as “bad elements”]; **D114/264** Chum Chy WRI, A40 [Mentions Battalion 310]; **D54/105** Ek Ny WRI, A4 [Describing how Battalion 310 members were arrested by the Vietnamese on Koh Poulo Wai and released later]; **D54/43** Lon Seng WRI, A15 [Battalion 310]; **D114/78** Svay Sameth WRI, A16 [“I think [...] Chum [came] from Battalion 330”]; **D114/95** Yoem Sroeng WRI, A12, 15, 220 [“I was in Company 30, Battalion 370, Regiment 20, Division 3 [...] A15: The commander of Battalion 370 was Son [...] A220: Battalion 370 and Regiment 61 remained the same”]; **D2/8** Say Born WRI, A54 [“I heard about Battalions 380 and 370”]; **D114/260** Som Sot WRI, A33 [“Ta Chy was arrested and then sent to Vietnam when Vietnam attacked Koh Poulo Wai Island. He was in Division 164 too. He was likely in Battalion 370”].

594 **D114/132** Mao Ran WRI, A28 [“Prior to 1974 the battalion was designated Battalion 103 [...] After 1975, Battalion 103 was re-designated Battalion 410, Regiment 21, under Division 3”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329, KH 00742580 [“The 410th Battalion was made up of the former 103rd (aka KH03) Battalion from Khmer Communist Sector 33”].

595 **D2/15** Touch Soeuli alias Soeu Touch WRI, A11 [“in January 1975 [...] at that time Battalion 102 was not under the Sector 33 unit anymore. They were merged into the Division 3 of the Southwest Zone. At that time Battalion 102 became Battalion 420”].

596 **D114/263** Chum Chy WRI (Battalion 420, Regiment 21), A48 [“Q: Do you think Battalion 430, which was stationed on Koh Kra Chak Ses Island, could also have been subordinated to the same regiment as your regiment? A48: maybe it was subordinated to the same Regiment 21 because there were Battalions 410, 420 and 430. I say this because although they never told us specifically that it was that unit of organization, but we understood this on our own”]; **D114/132** Mao Ran WRI, A27-28 [“I was in Battalion 410, Regiment 21, Division 3 [...] A28: After 1975, Battalion 103 was re-designated Battalion 410, Regiment 21, under Division 3”]; **D114/66** Chet Bunna WRI, A36 [“later on, the Vietnamese attacked us and occupied the Koh Polowai Island and also recaptured the Koh Krachak Seh Island from us. Among the units that had been sent to fight at that place were Battalions 410 and 420 of the Division 3. These two Battalions were under the command of two commanders named Tom and Voeun. Tom was the commander of Battalion 420, and Voeun was the commander of Battalion 410”]; **D54/46** Em Sun WRI, A27 [“Later, I was transferred to Battalion 415. Kung was the Chief, me the Deputy Chief, and Nget Ngen the member of Battalion 415. Battalion 415 was under the authority of Regiment 21, Division 3”]; **D54/49** Em Sun WRI, A3 [“Baul was in Battalion 415”]; **D114/76** Svay Sameth WRI, A15 [“I believe it was in 1976 [...] Torn and Moeun were the Commanders of Battalion 420 [...] Moeun was removed at a later date”]; **D54/35** Brak Sokha WRI, A10 [“I was with Battalion 430. I was a messenger for the battalion commander. The battalion commander at that time was Brother Bau. Battalion 430 was under Division 3, whose commander was Ta Mut”]; **D4.1.751** Unknown US POW/MIA Statement, EN 00387258, KH 01519652 [“The division had three regiments, numbered 20 through 22, and the 450th Sapper Battalion [...] The 21st Regiment had subordinate to it the 410th, 420th and 480th battalions”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329, KH 00742580 [“The Regiment had four subordinate Battalions numbered 410, 420, 480, and 490, and was headquartered at Ream”]; **D54/48** Em Sun WRI, A17 [Mentions Battalion 410]; **D114/287** Heang Ret (Hieng Reth) WRI, A43 [“Q: Please tell us about which companies and battalions of Regiment 21 or 162 were sent to set up the headquarters at Krachak Ses Island. A43: At that time, there were many choices. There were many units but Battalion 410 was the core force”]; **D54/43** Lon Seng WRI, A3 [Chief of Company 8, Battalion 420]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A11 [“Battalion 102 was not under the Sector 33 unit anymore. They were merged into the Division 3 of the Southwest Zone. At that time Battalion 102 became Battalion 420”]; **D114/113** Koem Men WRI, A61 [“Q: Was Battalion 480 a new or old battalion? A61: I do not recall, but it originated from Sector 13. I guess Battalion 480 was the old one”]; **D114/78** Svay Sameth WRI, A16 [“I think Nhom came from Battalion 480”].

597 **D2/8** Say Born WRI, A34, 51 [“In fact there were three regiments including Regiments 20, 21, and 22 [...] A51: Now I remember the battalions under the Regiment 22 were as follow: They Were Battalions 520, 530,

540, and 550”]; **D54/7** Dol Song WRI, A7 [“I do not remember the first digit whether it was a 1 or a 5, but I remember vividly the last two digits. They were 20, 30, 40 and 50 in Regiment 22”]; **D114/48** Sok Ngon WRI, A6 [“Q: what was the designation of your unit? A6: It was probably Battalion 520”]; **D114/18** Mak Chhoeun WRI, A29, 32-33 [“Battalion 540 was under the control of Sary, and his headquarters was outside the compound of Kang Keng airport [...] A32: As I remember, Battalion 520 was under the control of Han. Battalion 530 was under the control of Vet. Battalion 540 was under the control of Sary and Battalion 560 was under my control. There was no Battalion 550 [...] A33: this Battalion [520] was sent to join the Navy”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974078, KH 00926525 [“Q: To which battalion did your unit of 100 belong? A: Battalion 530 [...] Q: Which regiment was it? A: Regiment 16”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329, KH 00742581 [“He remembered that the 63rd regiment subordinate designations used 500-series for battalions and surmised the 61st used 300-series designations for battalions”]; **D54/33** Ing Chhon WRI, A9 [“The three companies above [24, 26, 28] were under Battalion 540, whose commander was Sari [...] Battalions 530, 540 and 550 were under a regiment whose commander was Ta Yan”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A2 [“I was in Battalion 540 in Regiment 15 of Division 3”]; **D114/156** Soeng Noch WRI, A64, 246 [mentions Battalion 540], A17, 22, 248 [“Q: In what battalion was your children’s unit? A17: It was in Battalion 580 [...] A22: Their ages ranged from 12 or 13 to 20 years old [...] Q: Of what area did Battalion 580 take control? A248: The coconut plantation”]; **D2/6** Nhoun Chrong WRI, A9, 11 [“Q: [...] In 1974 T-4 was merged into the newly formed division called Division 3 [...] At that time T- 4 was changed to Battalion 550 and put under Regiment 22’. Was the reading from this paragraph correct? A9: Yes, it was correct [...] A11: Battalion 550 became the marine force”]; **D2/9** Say Born WRI, A37 [“Q: At that time were many troops taken from Battalion T-4 or Battalion 550 into the marine? A37: There were not many. As I could recall, there might be over 10 persons taken from the Battalion T-4 or 550”]; **D54/30** Soem Ny WRI, A8, 11 [“Battalion 550 had been formed around two months before the ‘liberation’ of Phnom Penh in April 1975. This battalion was called a special one whose military members had been transferred from different units [...] A11: [Before 17 April 1975] I was in the special espionage squad of Battalion 550 who was assigned to spy on the troops of the enemy combatants”].

598 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249694, KH 00741997 [“At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream. The Division had four subordinate regiments numbered 37, 14, 15 and 16. The 37th Regiment was designated as such because it was made up of forces from Sector 37”].

599 **D54/10** Meu Ret alias Saret WRI, A27 [“Yes, he did. Battalion 450 was a Special Unit of Ta Mut”]; **D54/46** Em Sun WRI, A38 [“For the infantry, the commands were issued by Division 3 to the regiments, from the regiments to the battalions, and from the battalions to the companies. However, my special unit, Battalion 450, received orders directly from Meas Mut, the Commander of Division 3”]; **D114/15** Sok Vanna (Suos Vanna) WRI, A18 [“Q: Have you ever heard about the Special Battalion 450 of Division 3? A18: Yes, I have. This unit was under Meas Mut”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387328, KH 00742578 [“the 164th division was organized into three subordinate infantry regiments numbered 61, 62, and 63, and included the 450th special operations battalion”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“The special unit was an autonomous unit of the division [...] It was equivalent to the regiment’s role”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 14.38.20-14.42.45 [“For unit 450 it was a special unit for Division 164 and its task was to be stationed around the divisional headquarters [...] the unit was known as the special unit for Division 3”].

600 **D4.1.861** *Revolutionary Flag*, Aug 1975, EN 00401488, KH 00063323-24, FR 00538963 [“On 22 July 1975 on the occasion of the ceremony of the Communist Party of Kampuchea Center to establish the Revolutionary Army, the comrade chairman of the High-Level Military Committee of the Party convened an important political conference of the Communist Party of Kampuchea Center for approximately 3,000 representatives of every unit of the Revolutionary Army. The complete content of this important conference was as follows: [...] 4. The new missions of our Revolutionary Army”]; **D98/3.1.20** Chhaom Se, T. 11 Jan 2013, 11.38.49, 11.40.51, 11.50.33-11.52.30 [the Olympic Stadium assembly held related to the “establishment of the army” and the entire CPK leadership was present], 14.01.48-14.06.23 [confirming that the 22 July 1975 RAK conference described in the August 1975 Revolutionary Flag corresponded to the assembly he attended although he first thought it was in September 1975]; **D4.1.801** Chhaom Se WRI, A3 [“Division 801 was created in Phnom Penh during the General Assembly at the Olympic Stadium during approximately September. The Special Military Zone had three divisions: Division 703, Division 605, and Division 801”];

D4.1.805 Chhaom Se WRI, A3-4 [“Q: In the interview on 31st October 2009, you said that the Division 801 was created during the Great Assembly of the Party in September 1975. [...] A3: The Great Assembly was held in September 1975. The commanders of the division level down to the company level from all divisions attended it. As a company deputy commander in Division 801, I also attended [...] The purpose of that Great Assembly was to talk about the history of the armed forces and their new work, and to announce the leadership composition of the Party Centre to the cadres [...] At that time they announced the creation of the Special Zone and the merging of the Brigade 801, Brigade 703 and Brigade 605. The vanguards (the Centre armed forces) composed of 12 divisions which mobilized from place to place throughout the country [...] After the Great Assembly, they decided to send Brigade 801 to Rattanakiri [...] A4: Son Sen, the Minister of Defense, was the person who organized the Great Assembly. He made a long speech to [the Assembly]; and the last person addressed [the Assembly] was Pol Pot”]; **D4.1.454** Koy Mon WRI (Division 170), EN 00272715, KH 00195436 [“In mid 1975, Pol Pot called military commanders/chiefs from all units, including from the central army and zone army units to attend the conference at Olympic Stadium. The conference [...] also proposed plans for the central and zone armies to promote production and do rice farming”]; **D4.1.827** Him Horn WRI, EN 00425235-36, KH 00422488 [describing a late 1975 meeting at Olympic Stadium about “the transfer of the army to the Party Center” at which Pol Pot, Nuon Chea, Ieng Sary, and Khieu Samphan were present and during which he heard Nuon Chea talking about the transfer of the army to the Party Center under the supervision of Pol Pot”]; **D4.1.794** Ung Ren WRI, EN 00408399, KH 00398517 [“During the announcement of [the appointment of] Brigade 801, all senior leaders participated; they were Pol Pot, Nuon Chea, Ieng Sary, Son Sen, who announced the appointment at the Olympic Stadium about 15 days after the liberation of Phnom Penh”]; Ung Ren clarified the time period at the hearing: **D98/3.1.20** Ung Ren, T. 11 Jan 2013, 09.09.08-09.12.30, EN 00879822-24 [claiming that the meeting at Olympic Stadium took place quite some time after leaving the hospital in May 1975]; **D1.3.17.4** Huy Vannak, *The Khmer Rouge Division 703*, EN 00081292 [describes that on 22 July 1975 the 12th Division became the 703rd Division]; **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00237731.

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Apart from Division 164 (Navy) in Kampong Som, the other Central RAK Divisions were Divisions 170, 290, 310, 450, 502, 703, 801 and 920. Division 170 was from the Eastern Zone and was positioned opposite Phnom Penh under the initial chairmanship of Chan Chakrei alias Nov Mean until his arrest: **D4.1.845** Lonh Dos WRI, A24; **D4.1.454** Koy Mon WRI, EN 00272715, KH 00195436; **D4.1.22** Chan Chakrey alias Nov Mean S-21 Confession. Division 290 was also from the East Zone (Sector 24) with Comrade Tal as Chairman: **D4.1.908** DK Military Meeting Minutes, 16 Sep 1976 [describing meeting between Son Sen, Duch, and the commanders of Divisions 170 and 290]. Division 310 (North Zone) was positioned in Phnom Penh, Chroy Changvar, with Sbauv Him alias Oeun as initial Chairman until he was arrested and executed: **D114/230.1.1** S-21 Prisoner List, EN 01222656; **D4.1.827** Him Horn WRI, EN 00425235-36, KH 00422488; **D4.1.845** Lonh Dos WRI, A24; **D1.3.27.21** DK Military Meeting Minutes, 11 Nov 1976; **D4.1.556** Kung Kim WRI, EN 00278682, 84, KH 00270164, 66-67. Division 450 (North Zone) was initially commanded by Chea Non alias Suong: **D1.3.9.1** Report from Raen to Angkar, 14 Nov 1976, EN 00233930, KH 00087054; **D4.1.841** Sokh Chhay WRI, EN 00404296, KH 00398508. Division 502 (DK Air Force) was based at Pochentong Airport and was responsible for the construction of the Kampong Chhnang Airport with Sou Met alias Sou Samet as chairman: **D4.1.845** Lonh Dos WRI, A24; **D4.1.854** Seng Mon WRI, EN 00359932, KH 00357536; **D4.1.242** Phan Pech WRI, EN 00231406, KH 00228841; **D4.1.553** Sreng Thi WRI, EN 00282224, KH 00270178; **D1.3.32.27** Leng Kim alias Kung Kim DC-Cam Statement, EN 00184123; **D1.3.12.9** Report from Met, 1 Sep 1976; **D4.1.837** Hen Sophal WRI, EN 00374046, KH 00373259. Division 703 (former East Zone Division 12) was based in Phnom Penh south of Chamkar Mon under the leadership of Comrade Pin: **D1.3.8.7** DK Military Meeting Minutes, 18 Oct 1976; **D6.1.1158** DK Military Meeting Minutes, 11 Nov 1976; **D98/3.1.20** Chhaom Se, T. 11 Jan 2013, 11.06.37-11.09.24; **D4.1.845** Lonh Dos WRI, A24; **D1.3.17.4** Huy Vannak, *The Khmer Rouge Division 703*, EN 00081292. Division 801 (based in Rattanakiri, Northeast Zone) was formed by merging Brigades 11 and 14 and was commanded by Saur Sareun alias Ta Ol: **D4.1.634** Report from Reuan to Uncle 89 (Son Sen), 25 Dec 1976; **D98/3.1.306** Ung Ren, T. 9 Jan 2013, 10.55.58-10.58.55, 11.55.00-11.59.51, 13.38.22-13.40.50; **D98/3.1.20** Chhaom Se, T. 11 Jan 2013, 11.06.37-11.09.24, 11.11.17, 11.50.33-11.52.30; **D4.1.801** Chhaom Se WRI, EN 00406211-17; **D4.1.845** Lonh Dos WRI, A24; **D4.1.803** Chin Kimthong alias Chhang WRI, EN 00403579-80, KH 00401323-24; **D4.1.789** Ung Ren WRI, EN 00381032, 35; **D4.1.804** Chin Kimthong alias Chhang WRI, EN 00404077-78, KH 00401333-34. Division 920 (Mondulkiri, Autonomous Sector 105) was under Division Secretary Nhem San who replaced Men Meng alias Chhin after his arrest in February 1977: **D1.3.27.14**,

D4.1.81 DK Military Meeting Minutes, 7 Sep 1976; **D1.3.34.3** Telegram from Chhin to Brother 89, 8 Feb 1976; **D4.1.234** Report from Chhin to Brother 89 (Son Sen), 3 Mar 1976; **D234/2.1.49** Telegram 11 from San to Brother 89 (Son Sen), 6 Apr 1977, EN 00531038, KH 00052312; **D4.1.845** Lonh Dos WRI, A24; **D4.1.444** Sao Sarun WRI, EN 00278695, 97, KH 00251438-40; **D4.1.443** Ham Ansi WRI, EN 00250750, KH 00242413; **D114/35.2** Sara Colm and Sorya Sim, *Khmer Rouge Purges in the Mondulhiri Highlands*, EN 00397617, 704. *See also* **D4.1.801** Chhaom Se WRI, EN 00406211, KH 00401299 [“Division 801 was created in Phnom Penh during the General Assembly at the Olympic Stadium during approximately September [1975]. The Special Military Zone had three divisions: Division 703, Division 605, and Division 801”].

602 A Standing Committee decision from 9 October 1975 gave Pol Pot general responsibility over the military and Son Sen became officially the Chairman of the General Staff and Minister for National Defence: **D1.3.27.1** CPK Standing Committee Minutes, 9 Oct 1975, EN 00183393, KH 00019108; **D98/1.2.25** Kaing Guek Eav alias Duch, T. 5 Apr 2012, 15.18.32-15.21.47 [“Son Sen was the head of the general staff of the CPK’s army [...] Son Sen, the candidate member of the Central Committee, the head of general staff [...] Son Sen was in charge of security”]; **D1.3.19.1** CPK Directive, 30 Mar 1976, EN 00182814, KH 00003141 [“Comrade Khieu: Deputy Prime Minister for National Defense”].

603 **D114/285** Prum Sarat (Bun Sarath) WRI, A6, 103 [“At that time, from 1974 to April 1975, Division 3 no longer existed. Its name was changed to Division 164 [...] A103: Historically, the old Division 3 did not have Regiment 140. The rest were the same. I would like to confirm again about the earlier question. Division 3 was in place from 1974 to 1975. In July, it changed its name to Division 164” (*emphasis added*)]; **D54/47** Em Sun WRI, A18-19 [“In August 1975, a new division, Division 164, was established [...] A19: Moeun Mon [...] the commander of a company, and Heng Hok was the commander of another company of Battalion 480. They told me that Division 3 had been changed to Division 164, and that a new naval brigade, Brigade 140, had also been established”]; **D2/8** Say Born WRI, A43 [“I did not remember clearly when they changed the names of those units, but when we arrived in Kampong Som, they told us that the Division 3 was changed to the Division 164, and Regiment 20 was changed to Regiment 161, Regiment 21 was changed to 162, and Regiment 22 was changed to 163”]; **D54/7** Dol Song WRI, A6 [“After 1975, Division 3 was changed to Division 164, a marine force. At that time, Division 164 was no longer a division of the Southwest Zone”]; **D114/65** Chet Bunna WRI, A9 [“The Division 3 was under the Southwest Zone. But after this Division 3 had changed its name to become Division 164, it was under the General Staff of the National Armed Forces”]; **D4.1.759** Kong Chay US POW/MIA Statement, EN 00387269, KH 00658142 [“Mr Chay clarified the organization of the 3rd Division prior to and following the fall of Phnom Penh. The 3rd Division transferred to the Cambodian Navy and renamed the 164th Division”]; **D4.1.759** Khem Ngun US POW/MIA Statement, EN 00387265, KH 00658135; **D4.1.845** Lonh Dos WRI, A24.

604 **D114/89** Seng Sin WRI, A171, 173, 177 [“Q: You said Meas Muth went to Koh Tang Island to announce the formation of Division 164 in a meeting. Can you confirm this? A171: Unit 386 and a unit from the north with Unit 3 on Koh Tang Island were merged to. Other battalions were later established [...] Q: Who spoke in the meeting? A173: Only Meas Muth did [...] A177: It was held in an open space in the centre of Koh Tang Island”]. *See also* **D114/286** Heang Ret (Hieng Reth) WRI, A9 [“When we arrived there, the division convened a meeting to declare changes from Division 3 to Division 164. They said that the division was the Central and General Commander’s division, not under the zone as before, because Kampong Som was an autonomous zone, and it was called the Navy”]; **D114/104** Iem Phong WRI, A30-31, 39 [“Q: what is the number of your division? A30: At that time, there was not a division yet. They called it the Sector 37 Unit. Q: Was that before or after Pol Pot took over Phnom Penh? A31: Before [...] A39: When I was at Koh Tang Island, I heard that they combined us into Division 3”].

605 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249698-99, KH 00742002-03 [“At the end of 1975, the 3rd division was re-designated the 164th division and re-subordinated under the Democratic Kampuchean navy. The Division also incorporated additional troops from Sectors 22, 24 and the remaining troops from Sector 37”]; **D1.3.30.2** Report from Meas Muth to Brother 82, 5 Jan 1976 [the first surviving Meas Muth’s telegram is dated 5 January 1976 and already references it as a monthly report of Unit 164, which clearly establishes that Division 164 was created beforehand]. *See also* **D4.1.754** Unknown DK Cadre US POW/MIA Statement, EN 00387428, KH 00791383 [“In December 1975, the 408th Company was transferred from Puolo Wai Thmei Island to Tang Island, the 409th Company was based near the lighthouse on Rong Samleum Island and the 420th Company manned a weapons repair factory at Ream Naval base. A short time after the move, the 386th Battalion was dissolved and its personnel were transferred to the 3rd

Division, which was renumbered the 164th Division”]; **D4.1.747** Ek Ny US POW/MIA Statement, EN 00387289, KH 00640516 [“In 1976, the 386th Battalion was absorbed into the 3rd division. Also at the same time, the division was renamed the 164th division”].

D2/8 Say Born WRI, A43 [“when we arrived in Kampong Som, they told us that the Division 3 was changed to the Division 164, and Regiment 20 was changed to Regiment 161, Regiment 21 was changed to 162, and Regiment 22 was changed to 163”]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387279, KH 01496679 [“Source provided details on the reorganization of units under the 3rd Division after the Mayaguez incident. The 3rd division was redesignated the 164th division”]; **D59/1/1.29** Nget Chanthau DC-Cam Statement, EN 00968434, KH 00733609 [“I was in Division 3 and later it was changed to Division 164”]; **D4.1.759** Kong Chay US POW/MIA Statement, EN 00387269, KH 00658142 [“The 3rd division transferred to the Cambodian Navy and renamed the 164th division”]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974097, KH 00926547 [“Q: Well, had the 3rd Division been renamed yet? A: It had been renamed Division 164”].

See above, para. 212, fns 586, 587 regarding the incorporation of Battalion 386 (Sector 37) into Division 3 before being formally incorporated in July 1975.

D54/33 Ing Chhon WRI, A20 [“At that time, Dim and his 700 soldiers arrived from the East Zone. These soldiers from the East Zone were combined with those of Division 3 to create Division 164”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A158 [“Later, they selected an additional 700 forces from the East Zone to attend the other training. The General Staff arranged it and sent the forces there. The two forces were combined together. There were 700 forces from the East Zone”]; **D54/97** Khoem Yat WRI, A8 [“Not all Regiment 52 personnel were sent to Kampong Som. As I knew it, personnel selected were from different battalions to be sent all to Kampong Som, except for the special companies and special battalion. In total, about 700 soldiers were sent to Kampong Som”]. According to Yoem Sroeng 500 or 600 joined Regiment 140 alone: **D114/95** Yoem Sroeng WRI, A51-52 [“When it was still in Regiment 61, there were no new soldiers; but when Regiment 140 was created, soldiers from the East came to join the navy [...] A52: When we were at Regiment 140, they sent about 500 to 600 soldiers from the East Zone to join the navy”]; **D54/29** Liet Lan (Nam Lan) WRI, A19 [“Dim came to Kampong Som with about two battalions of soldiers. He arrived from the East Zone when Division 164 was founded. Phnom Penh collapsed after he had been in Kampong Som for a month”]; **D54/8** Dol Song WRI, A28 [“I think it was around the middle or end of 1975 when the East Zone people arrived at Stueng Hav”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968417, KH 00926642 [“Q: I want to seek your clarification. Did Division 164, when changing its name to Division 3, include any other groups? A: Oh, they were taken from the East”].

D54/96 Teng Sarim alias Chim Chroeun WRI (Former Regiment 152 soldier, Sector 22), A20-21 [“All the personnel in the entire Regiment 152 under the command of Dim were sent to Kampong Som, nearly 1,000 [...] A21: The members of Regiment 152 were not only from Sector 22; they came from the entire East Zone”]; Lon Seng, a chief of company in Regiment 21/61, estimated that in total it was no less than 1,500 East Zone soldiers who joined Division 164 in two successive waves: **D54/44** Lon Seng WRI, A5 [“Yes, 1500 soldiers from the East Zone were sent to my unit [...] They came in two groups. There were 700 soldiers in the first group and 800 soldiers in the second group. I do not remember clearly in which year they came. However, it must have been between 1975 and 1977, as they arrived before I left Division 164 for Phnom Penh in 1977”].

D22.2.181 Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249698-99, KH 00742002-03 [“the 164th division [...] also incorporated additional troops from Sectors 22, 24 and the remaining troops from Sector 37” (*emphasis added*)]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 1624 [listing Hoeng Doeun alias Dim as Deputy Secretary of Division 164]; **D1.3.28.40** List of Prisoners who were smashed and photographed on 8 Dec 1977, EN 00873280-81, KH 00009146 [No. 2 on list]; **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00224085; **D1.3.18.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D1.3.18.2** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D114/79** Kang Sum WRI, A33 [“Q: Division 164 was under Ta Muth’s control. Who was his Deputy? A33: Ta Dim was”]; **D114/65** Chet Bunna WRI, A9 [“Dim was Meas Muth’s 1st deputy, and he was from the East Zone”]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Mut’s first deputy was Dim from the East Zone. Dim disappeared in 1977 when there was the internal conflict”]; **D114/113** Koem Men WRI, A31 [“Meas Muth was the Division Commander, Dim (from Prey Veng Province) was his deputy and Chhan was a member”]; **D114/89** Seng Sin WRI, A15 [“In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander and Nget was a member”]; **D54/97** Khoem Yat WRI, A4, 5,

8, 12 ["Dim was who was from Sector 22. He was responsible for the spearhead east of Phnom Penh with Regiment 52 (152) [...] A5: Dim went to Kampong Som before Sam and me. In Kampong Som, Dim was Division 164 Deputy Commander [...] A8: Not all Regiment 52 personnel were sent to Kampong Som [...] A12: When Dim was sent to Kampong Som for a while, he came back to mobilise his regiment's soldiers to Kampong Som with him [...] the capable soldiers were selected to work with Dim in Kampong Som in order to be merged into Division 164"]; **D54/95** Khun Than WRI (Brother of Khun Doem or Khun Dim, Battalion 141, Regiment 140, Division 164), A20 ["They returned to villages in Sector 22 in order to investigate the background of the soldiers who had been sent from Sector 22 to Kampong Som with him"]; **D54/44** Lon Seng WRI, A5 ["Dim became the deputy of Meas Mut. He was in charge of military commanding in Division 164"]; **D54/29** Liet Lan (Nam Lan) WRI, A19 ["However, after Division 164 had been mustered, he became a military commander and the deputy of Meas Mut"]; **D114/95** Yoem Sroeng WRI, A66 ["They were all under Meas Muth. For instance, Nget was Meas Muth's deputy. Dim was under Meas Muth at the division level. Chhan was also at the division level. Yan was a regimental chairman. Sokh was division medical chairman"]; **D54/81** Hing Uch WRI, A14 ["Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut"]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A10; **D54/33** Ing Chhon WRI, A20; **D114/104** Iem Phong WRI, A50; **D54/51** Meas Voeun (Svay Voeun) WRI, A12.

611 See, e.g., **D114/89** Seng Sin WRI, A15, 66 ["In Division 164, Meas Muth was the Overall Commander [...] A66: He declared that he had been a Division 164 Commander since the formation of the unit. I saw him in the meeting when the three units were merged"]; **D54/109** Sao Sam WRI, A26 ["Meas Muth was in charge of the autonomous division unit number 164 in Kampong Som"]; **D114/103** Liet Lan (Nam Lan) WRI, A44 ["Meas Muth was the superior. Meas Muth commanded both the Navy and the Army in the Zone"]; **D54/97** Khoem Yat WRI, A14 ["They worked together, but Meas Muth was the commander of the division, and Dim was his deputy"]; **D114/32** Meas Saran WRI, A129 ["Ta Mut [...] I heard that he commanded the division in Kampong Som. He was Ta Mok's son-in-law"]; **D59/2.16a** Sim Ny (Soem Ny) DC-Cam Statement, EN 01332593, KH 00735591 ["Q: Did Ta Muth supervise everything? A: He supervised both units on land and the water"]; **D54/104** Ek Ny WRI, A16 ["Meas Muth had the authority to make arrests and punish civilians, soldiers and soldiers' family members who stayed in the area controlled by Division 164"]; **D98/1.2.22** Kaing Guek Eav alias Duch, T. 30 Mar 2009, 14.17.05 ["The commander of this division was Meas Muth"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 09.43.43-9.47.20, 11.21.42-11.22.18; **D114/116** Svay Saman WRI, A6; **D54/50** Meas Voeun (Svay Voeun) WRI, A22; **D2/8** Say Born WRI, A27, 36; **D2/16** Touch Soeuli alias Soeu Touch WRI, A12; **D54/79** Nop Hal WRI, A26; **D114/128** Ung Ren WRI, A17, 19; **D114/156** Soeng Noch WRI, A47; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978566, KH 00955492; **D59/1/4.21** Uk Sokh DC-Cam Statement, EN 01070618, KH 00930598.

612 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249694, KH 00741992 ["The command committee of the 3rd division included: Chhan – Division Commander, he was in command during the Mayaguez Incident but was in Kampong Som and Ream. Saroeun, Deputy Commander. Meas Mut, Political Officer. Nhan, Member of the Committee for Logistics. Lon, Chief of Logistics"], EN 00249698-99, KH 00742002-03 ["The 3rd Division was re-designated the 164th Division [...] The composition of the Division Command Committee remained the same"].

613 **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575529, FR 00507699, KH 00160069; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989, KH 00160145 ["M-164" in Khmer, "Office 164" in the English translation]; **D2/9** Say Born WRI, A22, 27-29 [Commenting the table of statistics in **D1.3.5.3**: "The letter "M" was the Office of 164 [...] A27: As I knew it, M-164 was the Office 164 [...] A28-29: M-164 was the Office of the commissar [...] located in Kampong Som"]; **D114/102** Em Sarin WRI, A14 ["When I met Kheng, I asked him if he was a base person, but he said he was not, he was from Office 164 in Kampong Som"]; **D54/47** Em Sun WRI, A24 ["I guess that M-164 was the division's head office, where many sections such as inventory, documentation, courier, and communication sections were located"].

614 **D54/100** Lay Boonhak (Lay Bunhak) WRI, A62 ["Division Headquarters was located in Kampong Som and was called the 'Internal Office'"]; **D54/71** Mut Mao WRI, A18 [Commander, Inner Office Telephone Section, Division 164: "Q: Can you describe the place where you stayed with Meas Mut [...] A18: That place was called Inner Office of Division 164"].

615 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950654, KH 00160116 [mentions "Division Office"]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950656 ["Division Office"];

D54/87 Prum Sarat WRI, A36 ["During the period of Democratic Kampuchea, they called the Headquarters the 'Office'"]; **D114/286** Heang Ret (Hieng Reth) WRI, A17 ["Office 164 was the Division office [...] staff members were tasked with managing the communication system to the islands, daily commands to the radar, reports, forward commands to the islands and Bokor Mountain [...] tasked with managing all documents of the division"]; **D54/48** Em Sun WRI, A7 ["that office was called Ta Mut's office"]; **D114/79** Kang Sum WRI, A331 ["I met him in Kampong Som at Office 04, the office of Division 164"].

616 See, e.g., **D54/100** Lay Boonhak (Lay Bunhak) WRI, A62 ["Division Headquarters was located in Kampong Som"]; **D2/9** Say Born WRI, A29 ["The Office of the commissar located in Kampong Som"]; **D54/44** Lon Seng (Long Sen) WRI, A23.

617 **D54/31** Soem Ny WRI, A5-7 ["At the time, Meas Mut was living at a place near Phsar Leu Market, and the headquarters of Division 3 was also there. Meas Mut's house was 150 metres east of Phsar Leu Market. At the time the divisional headquarters and the divisional commander's house were together. Commanders of each regiment came to join meetings there every month on the 10th, 20th, and 30th days of each month [...] A6: We grew vegetables at a farm west of Phsar Leu Market, and that farm was not far from Meas Mut's house which was situated east of the market [...] A7: Meas Mut was staying at that house because at that time the house was a large brick one for him to stay and work"]; **D54/46** Em Sun WRI, A8, 25 ["I only knew that the first office was located next to Phsar Leu Market. That office was a brick house and Meas Mut stayed in that office as well [...] A25: Division 164 was created and it was operated from Phsar Leu to Ream"]; **D54/48.3** Map of Kampong Som as marked by Em Sun, KH 00969463 [indicating the Division headquarters close to Phsar Leu market, as referred to in **D54/48**, A46]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978575, KH 00955506 ["Q: Was the Division head quarter locating in Ream at that time? A: It was in Kampong Som [...] Ta Mut stayed near the big market [of Kampong Som]"]; **D54/93** Yem Sam On WRI, A66 ["Did you know where the Division 3 Office was located? It was located near an old cinema in Kampong Som on the street from the sea"]; **D54/45** Lon Seng (Long Sen) WRI, A27 ["The Headquarters of Division 164 was located near Leu Market"]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974093, KH 00926538 ["The division base was located on a high hill at Phsar Leu market to the west of a hospital"].

618 **D54/72.2** Tourist Map of Sihanouk City as marked by Mao Mut [where she circled the location of the Inner office, which is south of Phsar Leu and north east of the Sokha Hotel]; **D54/72** Mao Mut WRI, under A26, Investigator's comments ["The witness said that there were four ways to go into the internal office of Division 164 according to her memory. If we travelled from Phsar Leu market, before we arrived at the corner near the hospital, there were two ways to enter. If we leave from the hospital to the Two Lions Circle, there were other two ways to enter. One was the wide road and another one was a narrow road not far from Two Lions Circle"]. Mao Mut explained that Chinese guests as well as Meas Muth's wife were staying at the Sokha Hotel until she died in 1976, but not Meas Muth: **D54/71** Mao Mut WRI, A2-3, 7, 10-11, 18, 20 ["When Meas Mut brought Yeay Khom to Kampong Som, Meas Mut took Yeay Khom to stay at Sokha Hotel [...] A3: Sokha Hotel belonged to Division 164 [...] A7: Who were the guests who always came to stay at the guesthouse at the Sokha Hotel? [...] A10: I stayed and worked at Sokha guesthouse for about half a year until Yeay Khom passed away; then Ta Mut brought me from the guesthouse to live with him [...] A11: A short while before I left that place, that place was no longer been used for Chinese guests to stay. They transformed that place to be used only for various celebrations [...] Q: Can you describe the place where you stayed with Meas Mut after you left Sokha Guesthouse? A18: That place was called Inner Office of Division 164. If you travel from Phsar Leu Market to the Two-Lions Circle, when you arrive at the curve you can turn right at the major road-crossing and after about 500 metres, you will reach the location of the division's Inner Office [...] Q: What was the function of that Inner Office of Division 164? A20: It was the house where Meas Mut stayed"]; **D54/87** Prum Sarat WRI, A36, 46, 66 ["It [Division 164 Headquarters] was located south of Kampong Som Market" [...] A46: His office was located south of Kampong Som Market [...] Q: Since you met Meas Mut two times a year, how could you know that the office of Meas Mut was located south of Kampong Som Market? A66: I knew it through Han and Saroeun"]; **D54/10** Meu Ret WRI, A19 ["Q: Do you know where the headquarters of Division 3/164 was located? A19: I still can remember that. You travelled from Ou Chheuteal Beach to where the statue of a lion and a lioness were. A road headed in a northerly direction reached the headquarters of the division, which was located along the road"]; **D54/17** Say Born WRI, A4-5 [Witness explained that in late 1975 he accompanied a division messenger to Meas Muth's residence near a pond close to the lion statue]; **D54/23** Pak Sok WRI, A10 ["In late 1978, my workplace was near his office in Kampong Som. My workplace was at the site of the present Sokha Hotel, which at that time was known as the Sokha Guesthouse. From there I could see the headquarters of Meas Mut"]; **D114/79** Kang

- Sum WRI, A125 ["Q: Do you know the name of the Seven-Story hotel? A125: It is called the Royal Residence. It is also called Sokha Hotel"].
- 619 **D54/71** Mut Mao WRI, A20, 28 ["Q: What was the function of that Inner Office of Division 164? A20: It was the house where Meas Mut stayed [...] A28: There were different buildings in the compound of the Inner Office. At that site there were a dining hall, Meas Mut's house, living quarters for messengers and others, a telegraph office, and a broadcasting office"]; **D54/26** Pak Sok WRI, A3 ["Meas Mut's command office and the house he was staying were around two kilometres away from Wat Enta Nhien Pagoda. Meas Mut's house was at his working office"]; **D114/139** Nguon Lay alias Y WRI, A60 ["I went to his house. It was located at Ou Ti Bram; it was called Ptah Khieu, [meaning blue house]. I transported watermelons for him"].
- 620 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950654-55, KH 00160116-18 [indicates a total number of Division Office military workers of 319, including 50 messengers and 164 children –although the addition of each figure gives a total of 314]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950656-57, KH 00160121-23 [The total amounts to 85 persons at the Division Office but data / details look to be missing and the huge difference with the month before is unexplained]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989, KH 00160145-47 [mentions that 103 persons worked at M-164 during October 1976 but that one of them "disappeared from the unit" because he/she was "taken"]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575529-31, FR 00507699-701, KH 00160069-71 [Meas Muth's report mentions a total of 102 persons working at M-168]; **D114/286** Heang Reth WRI, A17 ["Office 164 was the Division office. The 103 people [of that office] were staff members who were tasked with managing the communication system to the islands, daily commands to the radar, reports, forward commands to the islands and Bokor Mountain. I think it was called K-1 or Office 1 which was tasked with managing all documents of the division"]; **D54/71** Mut Mao WRI, A8, 36 ["they [Ta Muth, Ta Saroeun and Ta Nhan] all stayed in the office compound, but in different houses. They had meals together in the kitchen and sometimes their messengers delivered their meals to them in their houses [...] Q: How many people worked in the Inner Office? A36: Approximately 30 to 40 people worked there"]; **D54/47** Em Sun WRI, A24 ["I guess that M-164 was the division's head office, where many sections such as inventory, documentation, courier, and communication sections were located"]; **D54/48** Em Sun WRI, A8 ["That office was a brick house and Meas Mut stayed in that office as well. According to my estimation there might be 100 staffs worked in different sections in that office"].
- 621 Keng was the Office 164 Chairman while Ieng was one of Meas Muth's personal drivers / bodyguards / messengers: **D54/71** Mut Mao WRI, A29, 31 ["Q: Who was the responsible person at that Inner Office? A29: Keng [...] A31: Ieng was Meas Mut's messenger"]; **D54/23** Pak Sok WRI, A10 ["I knew all his bodyguards and messengers. The office chairman of Meas Mut was Ta Keng"]; **D114/102** Em Sarin WRI, A14 ["When I met Kheng, I asked him if he was a base person, but he said he was not, he was from Office 164 in Kampong Som"]; **D114/285** Prum Sarat (Bun Sarath) WRI, A42 ["Q: Since you used to work with Meas Muth in 1973 or 1974, do you know the name of his driver? A42: His driver, the term we used was his messenger, was Ieng"]; *Partially contra*, **D54/48** Em Sun WRI, A7 ["Ieng was the office chief, and that office was called Ta Mut's office"].
- 622 **D54/72** Mut Mao WRI, A5, 7-8, 16 ["Q: Yesterday you said, 'I think only the messenger unit or the special unit took people to be killed; they could have been from the special unit or the messenger unit'. Why did you say this? A5: Those kinds of tasks were the special unit's work, because only the special unit was assigned to do this kind of work directly [...] A7: The special unit was like Meas Mut's bodyguards, like that. The messenger team was the team who worked nearby and close to Ta Mut all the time. But the special unit was for guarding and manning the checkpoints surrounding his house and office [...] A8: It was a battalion [...] A16: Ta Norn was in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut's house where Norn and his soldiers stayed. I never arrived there, so I do not know how many soldiers were there"]; **D54/87** Prum Sarat WRI, A93-95 ["Battalion 450 was stationed surrounding the division [...] A94: It was the defence unit [...] A95: Its main duty was defending Division Headquarters"]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A23 ["Later on, because there was no fighting on the battlefield any more, this unit 450 was assigned to be in charge of the security matters"]; **D54/101** Ek Ny WRI, A10 ["the Special Unit of Ta Mut. They were like Ta Mut's bodyguards and also known as his right hand unit"]; **D54/7** Dol Song WRI, A11 ["Q: After 1975, when Division 3/164 was moved to Kampong Som, what was this Special Battalion assigned to do? A11: This Special Battalion was under the command of the Division Commander or Political Chairman. The Special Battalion was responsible for protecting leaders of

the Division and arresting people who committed mistakes. At that time, the country was already in peacetime; the Special Battalion did not need to go to war. Therefore, the Special Battalion was instead used to protect leaders of the Division and to arrest those who committed mistakes”]; **D54/10** Meu Ret alias Saret WRI, A27 [“Battalion 450 was a Special Unit of Ta Mut”].

⁶²³ **D54/44** Lon Seng WRI, A24 [“The meeting was held at a former cinema, located near the Division Headquarters. Some meetings were held at the former cinema, and some were held at Ou Chheu Teal Beach. I attended the training meetings at the cinema twice, each of which lasted for a fortnight”]; **D114/32** Meas Saran WRI, A5 [“They arranged the marriage for us in the Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples”]; **D114/132** Mao Ran WRI, A63-64, 66 [“The training was conducted when we were gathered together. It was organised by Meas Muth. The instructors included Meas Muth and one of his deputies [...] A64: We studied at the Phsar Leu Cinema [...] A66: They instructed us in military procedures and discipline”]; **D114/113** Koem Men WRI, A102-104 [“Q: Where was the annual study session held? A102: It was held at Division 164 [...] Q: Was it held in the quarters of Division 164? A103: Yes, it was. It was located in Kampong Som. Q: Do you know its precise location? A104: It was located at the former cinema”], A99-108 [explains that the Division 164 annual study sessions held at the cinema were presided by Meas Muth who gave the lectures, and that all cadres attended it but no ordinary soldier; they lasted between 10 and 15 days]; **D54/83** Hing Uch WRI, A25 [“I know that the cinema in Kampong Som was the meeting place for Division 164. They used it for meetings and studying [...] I stood guard outside [...] I noticed mid-level cadres came to attend the meeting”]; **D114/48** Sok Ngon WRI, A14 [“I was sent to study politics at a market in Kampong Som City”]; **D54/98** Heang Ret WRI, A120, 124-125 [“that time there was an assembly which the Division 164 leaders attended [...] A124: it took place in July 1975 [...] A125: It was organised in the cinema in Kampong Som”]; **D54/33** Ing Chhon WRI, A15-16 [“I was called to training by Ta Mut in Kampong Som. The training was held at the former Kampong Som Cinema, and the lectures were given by Ta Mut [...] A16: I joined the training by Ta Mut for half a month. During the training they recorded our biographies”]; **D114/31** Moul Chhin WRI, A91 [“Every time battalion/regiment commanders were called away to study at the cinema in Kampong Som, they disappeared and we never saw them return”]; **D54/17** Say Born WRI, A6 [“Q: What kinds of meetings were held in Koh Rong Cinema [in Kampong Som]? A6: In 1975, the hall was used for political training and for political meetings of battalion chairmen/deputy chairmen, company chairmen/deputy chairmen, and lower-echelon chairmen - the so-called cadres. The meetings of regimental-level chairmen were held in Meas Mut's headquarters”]; **D114/95** Yoem Sroeng WRI, A214, 216 [“Who taught you about politics? A214: Meas Muth taught us, and Han, who was under Meas Muth [...] Q: When they provided political training, where did they conduct it? A216: Mostly it was held at Ou Chheu Teal Beach, Kampong Som Market, and Kampong Som Cinema”].

⁶²⁴ **D114/95** Yoem Sroeng WRI, A216 [“Q: When they provided political training, where did they conduct it? A216: Mostly it was held at Ou Chheu Teal Beach, Kampong Som Market, and Kampong Som Cinema”]; **D114/48** Sok Ngon WRI, A14 [“When I first arrived in Kampong Som, I was sent to receive naval training there. Sometimes we were sent to receive naval training at Ou Chheu Teal”]; **D54/87** Prum Sarat WRI, A39-40 [“I never went to the Division Headquarters, but I used to attend meetings organised by Division 164 at Ou Chheu Teal Beach [...] Q: Was the training conducted often? A40: It was conducted annually”]; **D114/65** Chet Bunna WRI, A16 [“At that time, they started organizing the navy forces and then sent my group to the training at Ou Chheu Teal”]; **D114/286** Heang Ret (Hieng Reth) WRI, A31 [“There was only one building at Au Chheu Teal. They used it for political education sessions”].

⁶²⁵ See above, para. 213, fn. 591.

⁶²⁶ See, e.g., **D2/8** Say Born WRI, A43 [“we arrived in Kampong Som, they told us that the Division 3 was changed to the Division 164, and Regiment 20 was changed to Regiment 161, Regiment 21 was changed to 162, and Regiment 22 was changed to 163”]; **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249698, KH 00742001-02 [“At the end of 1975, the 3rd division was re-designated the 164th division”], EN 00249699, KH 00742002 [“the regiments were re-designated. The 14th regiment became the 61st regiment, the 15th became the 62nd, and the 16th became the 63rd regiment”]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387279, KH 01496679 [“The 20th regiment became the 61st regiment. The 21st regiment became the 62D Regiment”]; **D114/286** Heang Ret (Hieng Reth) WRI, A21 [“I just remembered that there were Regiments 20, 21 and 22. Regiment 20 became Regiment 161. Regiment 21 became Regiment 162. Regiment 22 became Regiment 23 [163]”].

- ⁶²⁷ **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976; **D2/8** Say Born WRI, A43 [“they told us that the Division 3 was changed to the Division 164, and Regiment 20 was changed to Regiment 161, Regiment 21 was changed to 162, and Regiment 22 was changed to 163. But at that time they did not say the sound ‘100’ at the beginning, they only called the last two digits like 61, 62, and 63”]; **D54/111** Sam Phin WRI, A6 [“Under Division 164, there were regiments 61, 62 and 63”]; **D114/287** Heang Ret (Hieng Reth) WRI, A38 [“Unit 450 was an independent battalion. Its immediate connection was with the division. It had to attend the meetings along with Regiments 61, 62, and 63”]; **D54/98** Heang Ret WRI, A28 [“When Division 3 was re-designated Division 164 in Kampong Som [...] Division 164 included Regiments 61, 62, 63 and 140. Regiments 61, 62, and 63 had the mission of coast and island defence. Regiment 140 was in charge of all vessels”]; **D114/283** Ek Ny WRI, A43.
- ⁶²⁸ **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249699, KH 00742002 [“The division maintained troop garrisons in the Kampong Som and Ream areas, as well as on Poulo Wai Island [...], Prins Island [...], Tang island, Rong Samlem Island, and Ses Island”]; **D132.1.85** DK Report from Meas Muth to Son Sen (Brother 89), 5 Jan 1976 [discusses Division 164 military deployment on Koh Ses, Koh Thmey, Koh Sampauch, Koh Ream and the presence of Meas Muth at Koh Rong and Koh Rong Krao at the time of the report]; **D114/282** Ek Ny WRI, A14, 21 [“Two companies of Battalion 386 and two companies of Division 3 stayed together on Koh Ses Island [...] A21: The soldiers from the sector’s army [37] and Division 3 were sent to Koh Polou Wai Island, Koh Polou Wai Thmei (New Polou Wai) Island, Koh Polou Wai Chas (Old Polou Wai) Island, Koh Rong Sanloem, Koh Rong Thom (Big Rong) Island, Koh M’noas Island, and Koh Tang Island. The rest of the forces were stationed on the mainland and worked on the naval boats”]; **D54/98** Heang Ret WRI, A28 [“Regiments 61, 62, and 63 had the mission of coast and island defence”]; **D114/286** Heang Ret WRI A16 [This Bokor Mountain unit “was tasked with managing the maritime radar system”].
- ⁶²⁹ **D54/47** Em Sun WRI, A18-19 [“In August 1975, a new division, Division 164, was established [...] A19: Moeun Mon [...] the commander of a company, and Heng Hok was the commander of another company of Battalion 480. They told me that Division 3 had been changed to Division 164, and that a new naval brigade, Brigade 140, had also been established”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“140th Naval Regiment. In August 1975, the 164th (3rd) division created the 140th naval regiment. The Regiment had two sections, a naval section and a naval infantry section”]; **D114/95** Yoem Sroeung WRI, A38 [“In 1976, they created Regiment 140 to be a navy unit, and Regiments 61, 62 and 63 were sent to the islands”]; **D114/65** Chet Bunna WRI, A16 [“At the end of the political study, around January or February 1976, Meas Muth announced the forming of the Navy Forces called Regiment 140”]; **D2/9** Say Born WRI, A16 [“At that time when they organized the marine forces, they selected troops from the Regiments 61, 62, and 63 of the Division 164, and together with another regiment from the East Zone, which was called the Unit 140, they organized them as the Unit 140”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968419, KH 00926644 [“sometime after the liberation, they established a regiment for the Navy, called Regiment 140”]; **D54/38.1** Lun Seng DC-Cam Statement, EN 01072382, KH 00967309 [“His division was in overall charge, and the battleship unit was part of it. It was called Regiment 140”]; **D54/36** Brak Sokha WRI, A36 [“He told me he was in the navy unit 140”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387328, KH 00742578 [“the division also had a subordinate 140th naval regiment”].
- ⁶³⁰ **D54/7** Dol Song WRI, A14-15 [“As for the question on who presided over the regular meetings between the regiment commanders and the Special Battalion, the answer is that it was the Commander of Division 3/164 [...] A15: It was Meas Mut”]; **D114/66** Chet Bunna WRI, A20 [“I never saw any person with this kind of character and attitude like Ta Mut. He was very strict. He always called the commanders of the regiments and battalions to his place to receive his order. Those battalion and regiment commanders understood very well what to do to follow Ta Mut’s order. If they could not execute his order successfully, they would definitely have problem”]; **D54/44** Lon Seng WRI, A26, A28 [About the announcement by Meas Muth that the East Zone soldiers were bad-element soldiers: “The announcement was made in a special meeting where only certain battalion and regiment leaders were selected to attend [...] A28: The chief of the division Meas Mut advised the regiment commanders to obtain information on historical backgrounds of the East Zone soldiers from their hometowns”]; **D114/19** Mak Chhoeun WRI, A16-17 [“Sometimes Ta Dim chaired the meetings, and sometimes Ta Mut chaired the meetings [...] A17: Sometimes, the meetings were plenary meetings attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164”]; **D54/31** Soem Ny WRI, A5 [At the time the divisional headquarters and the divisional commander’s

house were together. Commanders of each regiment came to join meetings there every month on the 10th, 20th, and 30th days of each month”].

631 For example, two Battalions in Regiment 62, had four companies: **D4.1.759** Kong Chay US POW/MIA Statement, EN 00387269, KH 00742580 [“After the reorganization, the battalion’s companies were renumbered as the 7th, 8th, 9th, and 10th, respectively”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329 [“The 7th, 8th, and 9th companies were infantry companies, and the 10th was a composite company with special operations, artillery, communications and transport platoons”]; **D114/127** Ou Kim alias Ret WRI, A13 [“Under Regiment 62 was Battalion 621. Under this battalion there were four companies designated 15, 16, 17 and 18”]; **D220/1.2.1** Ou Kim alias Ret DC-Cam Statement, EN 01375020, KH 01102508 [“There were four companies”]; **D114/113** Koem Men WRI, A21 [“Koh Ver Island was small. Therefore, only 12 soldiers were stationed there. A company comprised of 120 soldiers was based at Koh Pring Island”].

632 For example, **D4.1.759** Mao Rann US POW/MIA Statement EN 00387267 [In Battalion 410/621, “The 8th company was organized into the 21st, 22D, and 23rd platoons [...] The 9th company had subordinate 24th, 25th and 26th platoons [...] The 10th company had subordinate 28th, 29th, and 30th platoons”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329, KH 00742580 [“Each company had four platoons, and each platoon had four squads”].

633 **D114/104** Iem Phong WRI, A133 [“Usually the plans came from the company down to the platoon [50-person unit], and the platoon told all the squad [group] leaders”]; **D114/132** Mao Ran WRI, A38 [A squad had 15 soldiers]; **D114/57** Som Soam alias Ket WRI, A4 [“I was the chief of the 12-member military squad”]; **D114/156** Soeng Noch WRI, A28-29 [“There were three companies; in each company, there were three platoons [...] A29: There were three squads [12 people] in each platoon”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742596 [“Each regiment had three battalions, each battalion had three companies, and each company had three platoons and one sapper”]; **D54/87** Prum Sarat WRI, A32 [“Q: You stated that Division 164 had personnel strength between 7,000 and 9,000. How did you base that estimate? A32: My estimate is based on the number of soldiers in each regiment which consisted of four battalions”].

634 **D114/130** Iem Phong WRI, A39, 41-42 [“There were between 10 and 12 people in a squad. In a fifty-member unit, there were three squads; and in a company, there were three fifty-member units [...] A41: three hundred-member companies equal a battalion [...] A42: A hundred-member unit? Three hundred-member units equal to a battalion, and three battalions equal to a regiment”]; **D114/156** Soeng Noch WRI, A29 [“There were three squads in each platoon”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462 [“The platoons were divided into three 12-man squads”].

635 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13155 [Sek Phieng, Battalion 613 Deputy Secretary], 8618 [Soeng Krin alias Nguon, Company Commander, Battalion 611]; **D4.1.1070** Soeng Krin alias Nguon S-21-Confession; **D1.3.10.1** List of People Who are Implicated in the Enemy’s Confessions, EN 01408058-60, KH 00161751-53 [listing Battalion 611 in Regiment 161, Division 164]; **D114/208** Long Phansy WRI, A16-17, 23 [“They removed me from artillery and assigned me to take charge of an existing battalion at Stung Hav [...] A17: Battalion 612 [...] A23: In Battalion 612, the jobs included stone drilling, stone breaking, dragging stone to shield the worksite and other work”]; **D54/83** Hing Uch WRI, A38 [“There were four battalions in Regiment 61. Only three battalions were relocated to Stueng Hav. I do not know about the other battalion. But for my battalion, we went to take technical classes. The numerical designation of my battalion was 412 or 312. I am not sure” (*emphasis added*)].

636 **D114/283** Ek Ny WRI, A43 [“In Regiment 62, there were Battalions 621, 622 and 623”]; **D54/104** Ek Ny WRI, A3 [“I was in Battalion 623 during that time”]; **D114/57** Som Soam alias Sam Ket WRI, A3 [“I was a member of Regiment 21, Battalion 623. Later, Regiment 21 was renamed Regiment 62”]; **D54/20** Sam Saom alias Sam Ket WRI, A2 [“I was in Regiment 21 and Battalion 623”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742597 [“The 62D Regiment [...] was divided into three battalions numbered 21, 22 and 23”]; **D59/1.1.12** Nob Hal DC-Cam Statement, EN 00968386, KH 00926614 [“Q: 621, 622, and 623—were there only three [...] within the Regiment? A: Another one was 624”]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4159 [Nop Norn, Battalion 621 Secretary]; **D114/126** Ou Kim WRI, A7 [“I worked in Company 15 commanded by Han, in Battalion 621, Regiment 62”]; **D54/78** Nop Hal WRI, A8, 9, 14 [“I went to live in Battalion 624 under Regiment 62. [...] At that time I did not know clearly whether Battalion 621 or 623 was sent to carry out the capture [...] Q: Am I correct to say that when you talked about Battalions 621, 622, 623 and 624, you were referring to Regiment 62 of Division 164? A9: Yes, you are correct. [...] A14: I was in Battalion 622, Regiment 62. My battalion had two boats; in Battalion 621, there

were two boats; in Battalion 623, there was one boat”]; **D114/113** Koem Men WRI, A44 [indicated that Battalions 622 and 623 originated from Sector 33].

637 **D114/283** Ek Ny WRI, A52 [“In Regiment 63, there were Battalions 31, 32, 33 (631, 632, 633). Regiment 62 included Battalions 621, 622, 623”]; **D54/104** Ek Ny WRI, A3 [“Vet was the Battalion 631 Chairman”]; **D54/41** Or Saran (Ou Sarann) WRI, A16, 20 [“I was in Company 3, Battalion 631 of Regiment 63. [...] A20: I am not sure whether Battalion 632 or Battalion 633 was assigned to replace my battalion at Kang Keng”]; **D1.3.1.2** Kung Kien alias Oeng Vet S-21 Confession, 7 May 1977 [Secretary of Battalion 631]; **D114/230.1.1** OCJ S-21 Prisoner List, No. 2368 [Kung Kien alias Eung or Oeng Vet, Battalion 631].

638 **D114/65** Chet Bunna WRI, A16 [“Under that Regiment 140, they organized 4 battalions which included Battalion 141, 142, 143, and 144”]; **D114/286** Heang Ret (Hieng Reth) WRI, A10 [“they selected a few hundred soldiers from each regiment to form Regiment 140 to take over the ships. There were four battalions including battalions 141, 142, 143, and 144”]; **D114/66** Chet Bunna WRI, A2 [“Moeun was the commander of Battalion 141 in Regiment 140 of the Navy Forces”]; **D54/87** Prum Sarat WRI, A29, 32 [“I was in Regiment 140, which consisted of Battalions, 42, 43, and 44. I was in Battalion 44. [...] A32: My estimate is based on the number of soldiers in each regiment which consisted of four battalions. Regiment 140 had 1,400 soldiers”]; **D114/85** Chet Bunna WRI, A28-29 [“[Kun Dim] was from Battalion 141 of Regiment 140. He came from Sector 22 of the East Zone, as Ta Dim did. [...] A29: [...] he was in Battalion 141; and I was in Battalion 142 under the command of Sang”]; **D114/230.1.1** OCJ S-21 Prisoner List, Nos 3223 [Kun Dim, Battalion 141 Deputy Secretary], 3994 [Kung Sean alias San, Battalion 142 Secretary]; **D54/45** Lon Seng WRI, A24 [“The regiments and battalions started with the same first two numbers. For example, in Regiment 140, there were Battalions 141, 142, 143”]; **D54/10** Meu Ret WRI, A21 [“Near the port, there was the headquarters of Regiment 140, and along the road near the beach, there were also the bases of Battalions 141 and 142. I do not remember clearly the location of Battalions 143 and 144”].

639 **D114/286** Heang Ret (Hieng Reth) WRI, A13 [“Battalion 165 referred to my battalion. It was called a special battalion of the division. Battalion 166 was an artillery battalion. Battalion 167 was a women battalion [...] Battalions 165 to 170 were all independent battalions. Battalion 168 was the transportation unit. Battalion 169 was a hospital unit. Battalion 170 was a lathe unit. I might mistake Battalion 168 for Battalion 169”]; **D114/83** Sok Neang WRI, A19 [“I know that Regiments 61, 62 and 63 were under Division 164. I think Battalion 165 was the special battalion, but I am not sure. Battalion 166 was in charge of the artillery. Battalion 167 was my battalion. Battalion 168 was likely in charge of transportation. Battalion 169 was responsible for the medical section and Regiment 140 was responsible for ships. I do not remember what Battalion 170 was responsible for”]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976.

640 See, e.g., **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.03.07-11.06.59 [“orders came down in hierarchical order from top to the bottom, division to regiment, and regiment to battalion, and then it was the soldiers who implemented the orders”]; **D114/25** Ou Dav WRI, A10 [“When we captured the Thai fishing boat, for example, as a squad commander in a platoon, I received the order from the company commander, who received the order from the battalion commander. He in turn received the order from the regiment commander, who received the order from the division commander”]; **D54/23** Pak Sok WRI, A25 [“If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured. The battalion would the order us either to kill those who were captured right there on the sea or bring them to the island”]; **D54/87** Prum Sarat WRI, A54, 60.

641 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249699, KH 00742002-03 [“At the end of 1975, the 3rd division was re-designated the 164th division [...] At the completion of the reorganization, the 164th Division had approximately twelve thousand troops” (*emphasis added*)]; **D22.2.180** Phnom Penh Post, *Meas Muth: ‘We were in a cage like today’*, 20 Jul-2 Aug 2001, EN 00161880 [“How many people were in your division? Muth: Probably over 10,000”]. Witness Chet Bunna mentioned 18,000 troops but he likely included the civilians as well in that number: **D114/65** Chet Bunna WRI, A10 [“I think Meas Muth’s position was a deputy of the General Staff at that time. His work and responsibility along with 18 thousands troops under his command reflected that position. Those troops included the vessel units, the infantry combat units, the transportation units, and other units. Under his control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative”]. See also **D1.3.13.11** Sieng OCP Statement, EN

00217564 ["The whole of Division 164 was in excess of 10,000"]; **D54/87** Prum Sarat WRI, A23, 32 [estimate the total number of Division 164 to 7,000 to 9,000 soldiers, including 1,400 for Regiment 140].

D22.2.2 Division 164 Statistical Report, May 1976, EN 00950653, KH 00160102.

D22.2.4 Division 164 Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118.

D22.2.5 Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [listing 8,254 troops, not including 633 troops broken down into 400 disabled soldiers and children at Chamkar Daung, 176 combatants and cadres at a brick kiln, and 57 other disabled soldiers].

D1.3.5.3 Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989.

D22.2.6 Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071; This document was authenticated by Em Sun: **D54/47** Em Sun WRI, A25 ["I believe that this document [D22.2.6] was prepared for Meas Mut; thus, Meas Mut wrote his name on this document. I can recognise Meas Mut's handwriting"].

D1.3.30.9 Division 164 Statistical Report, Mar 1977, EN 00183956. *See also* **D54/87** Prum Sarat WRI, A23 ["I can provide an estimated number between 7,000 and 9,000, including navy forces"]; **D54/98** Heang Ret (Hieng Reth) WRI, A29 ["Division 164 was a full division with approximately 7,000 to 8,000 personnel"].

Despite the fact that the figures in the various tables seem to contain some mistakes as the result obtained does not always reflect a mere addition (*see, e.g., D22.2.6* Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575528, KH 00160068 ["The reason the number is higher was that the unit did not count all the people"]). These are the totals as reported by Meas Muth or his Division Committee: **D22.2.4** Division 164 Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Regiment 61: 1,496; Regiment 62: 1,784; Regiment 63: 1,599; Regiment 140: 1,911]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Regiment 61: 1,487; Regiment 62: 1,764; Regiment 63: 1,599; Regiment 140: 1,192 (not including 400 disabled soldiers and children at Chamkar Daung, 176 combatants and cadres at a brick kiln, and 57 other disabled soldiers)]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [Regiment 61: 1,460; Regiment 62: 1,727; Regiment 63: 1,565; Regiment 140: 1,154]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Regiment 61: 1,449; Regiment 62: 1,703; Regiment 63: 1,566; Regiment 140: 1,197].

D22.2.4 Division 164 Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Battalion 165: 265; Battalion 166: 243; Female Battalion 167: 391; Battalion 168: 729; Battalion 169: 380; Battalion 170: 320]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Battalion 165: 254; Battalion 166: 241; Female Battalion 167: 391; Battalion 168: 729; Battalion 169: 379; Battalion 170: 225 (not including 400 disabled soldiers and children at Chamkar Daung, 176 combatants and cadres at a brick kiln, and 57 other disabled soldiers)]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [Battalion 165: 265; Battalion 166: 241; Female Battalion 167: 434; Battalion 168: 813; Battalion 169: 305; Battalion 170: 320]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Battalion 165: 265; Battalion 166: 241; Female Battalion 167: 429; Battalion 168: 841, Battalion 169: 320; Battalion 170: 347]. In addition, the Bokor Unit and Unit 47 counted nearly 150 soldiers together.

D1.3.30.9 DK Military Report, 7 Apr 1977, EN 00183956 [Division 703 (5,369 soldiers), Division 310 (6,096 soldiers), Division 450 (5,259 soldiers), Division 170 (5,943 soldiers), Division 690 (4,906 soldiers), Division 502 (5,543 soldiers), Division 801 (5,284 soldiers), Division 9[2]0 (3,528 soldiers)]; **D114/65** Chet Bunna WRI, A12 ["We also knew that the Navy Forces Division, which was under Meas Muth's command, was the biggest division among the 25 divisions of the Khmer Rouge"].

See para. 342, which mentions that 300 to 720 soldiers were purged upon their release from Vietnam.

See **VIII.A.3 Categories of Bad and Affiliated Elements Within Division 164 that Were Purged**. *See also* the number of people who "disappeared" from the various regiments, battalions and units of Division 164 according to the four tables of statistics that survived (at a period where the purges were not the most important): **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [198 soldiers "disappeared from the units" in July 1976 alone, including 6 "dead", 6 "escaped" and 186 "withdrawn" (a synonym for "removed" or "purged"), mostly from Regiment 140 (*emphasis added*)]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [38 added in Regiment 63 alone; other statistics might be missing as well as the total]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [37 Division 164 soldiers "disappeared from the units", including 5 "dead", 3 "escaped" and 29 "taken" (*emphasis added*)]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [87 soldiers were "absent from the units", including 2 who were reported deceased and 85 "retire[d]" (*emphasis added*)].

- 653 **D22.2.4** Division 164 Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [198 soldiers “disappeared from the units” in July 1976 alone, including 6 “dead”, 6 “escaped” and 186 “withdrawn” (a synonym for “removed” or “purged”), mostly from Regiment 140 (*emphasis added*)]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [20 soldiers added (3 to Battalion 167, 7 to Battalion 169 and 10 to the Division Office; the total erroneously mentions “10”]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [59 soldiers added]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [96 soldiers were added, 74 apparently due to previous errors of calculation].
- 654 **D98/1.2.22** Kaing Guek Eav alias Duch, T. 2 Mar 2012, 14.17.05-14.20.23 [“Division 164, was meant to protect waters, borders, and any matters relevant to the maritime within the territory of Cambodia”], 14.21.58-14.25.09 [“Division 164 was embedded with the jurisdiction to protect waters –maritime border–exclusively”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.35.04–13.37.29 [“the soldiers were obliged to protect the territory of the borders at sea”]; **D114/65** Chet Bunna WRI, A11 [“Sometimes the regiment commander was the announcer during the assembly. During the assembly they also spoke about defending the sea and the maritime borders which was about 400 kilometers long, and about defending the nearly 200 islands of Cambodia”]; **D114/79** Kang Sum WRI, A114 [“Q: Where was the Navy? A114: It was stationed at Kampong Som Market, Ream, Kang Keng Airport and on the archipelago of over 200 islands”]; **D114/105** Koch Tuy WRI, A30 [mentions various islands, including some that are less known: Koh Tang, Koh Rong Krao, Koh Rong Khnong, Koh M’noas, Koh Yar, Koh Sali, Koh Thmei and Koh Pring]; **D114/95** Yoem Sroeing WRI, A34 [“Q: Did they tell you why they sent the division to Kampong Som? A34: They told us that we were sent to defend the waters, land and islands. Waters referred to the sea”].
- 655 **D114/49** Prum Ngon WRI, A15 [“Division 164 was responsible for the sea area”]; **D114/65** Chet Bunna WRI, A9 [“The territory under Meas Mut’s control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth’s control”]; **D114/84** Ek Sophal WRI, A7, 11, 19 [“Q: Kampong Som, Koh Thmei Island, and Koh Seh Island were under Division 164’s command [...] Is that correct? A7: Yes, it is [...] A11: Division 164 was in charge at that time. They sent troops to control the islands [...] A19: Division 164 was responsible for ships and warships”]; **D114/112** Im Sokhan WRI, A19 [The Khmer Rouge’s Navy forces had three regiments namely Regiments 61, 62, and 63. Units under these regiments were spread out and stationed on all islands in Cambodian territorial waters”]; **D54/52** Meas Voeun alias Svay Voeun WRI, A12 [“Meas Mut was responsible for protecting the sea territory and Cambodian territorial waters”]; **D54/51** Meas Voeun alias Svay Voeun WRI, A17 [“The navy controlled the mainland from Veal Renh to Kampong Som”]; **D114/53** Uk Sok WRI, A100-101, 110, 250, 252 [“Q: Where was the children’s unit located at that time? [...] A100: In Pu Thoeung Village [...] A101: It was about three to four kilometres from Kang Keng airport [...] Q: Was your unit part of the large children’s unit or part of a cooperative? A110: It was part of the cooperative called Pu Thoeung cooperative [...] Q: Was Division 3 in charge of all worksites near your cooperative? A250: Yes, all the soldiers were members of that division [...] Q: Do you know that Division 3 was changed to Division 164? A252: Yes, I know. It was the same division”]; **D54/17** Say Born WRI, A14-15 [“Q: You have identified the location of a brick kiln near Kang Keng Airport along the way to Ream. What do you know about that place? A14: It was a Division 164 labour site [...] A15: [...] the Commander of Division 164, Meas Muth, inspected the work there”]; **D114/79** Kang Sum WRI, A83 [“There was only 164 in Kampong Som Province”]; **D54/36** Brak Sokha WRI, A17, 19-20, 23 [“We worked in the vicinity of Kang Keng air field and near Teuk Sap [...] A19: Brother Than was the commander of my Battalion 20. I did not know the commander of Battalion 21. Both battalions were subordinate to Division 164 [...] A20: during the meeting the commander announced that our unit was under the control of the division [...] A23: [...] it was *Angkar*’s plan to send me to Steung Hav”]; **D114/89** Seng Sin WRI, A72, 166 [“Q: Where was the production unit based? A72: It was based about three kilometres from the meeting place at Kang Keng Airport, in Pra Bok Village [...] Q: Was the production unit a part of Division 164? A166: Yes, it was”]; **D114/15** Sok Vanna (Suos Vanna) WRI, A28 [“To my understanding, all ships and seamen stationed on islands were under the command of Meas Mut”]; **D54/7** Dol Song WRI, A16 [“as a commander of a marine division, Meas Mut was responsible for dealing with issues related to water borders”]; **D54/42.1** Heng Viech DC-Cam Statement, EN 00983447, KH 00967571.
- 656 **D1.3.27.18** DK Military Meeting Minutes (General Staff), 19 Sep 1976, EN 00195341 [“Comrade Muth [...] Food Production situation [...] 1,600 hectares of heavy rice has been transplanted by both the army and the people; the total force of both troops and people was 17,000”]. At the very same period of the second half of

1976, Meas Muth reported to Son Sen that the number of Division 164 soldiers was 8,716 in July 1976, 8,887 in August 1976, 8,611 in October 1976, and 8,685 in November 1976 (*see above*, para. 219, fns 643-646). Therefore it can be deducted that the number of civilians under the authority of Meas Muth in around September 1976 was above 8,000 (from 8,113 in August 1976 to 8,389 in October 1976); **D1.3.8.4** DK Military Meeting Minutes (Division 164 cadres and Son Sen), 9 Sep 1976, EN 00657355 [A cadre – Meas Muth or his deputy- reporting about activities of Division 164 requested 5,000 sets of clothes for the people and 7,000 sets for the soldiers (see IV-Miscellaneous), which gives a mere indication that the civilians were well above 5,000]; Witness Chet Bunna mentioned there were 18,000 “troops” in Division 164 (likely encompassing both military and civilians), a number very close to the 17,000 people reported by Meas Muth to Son Sen. A global number of 18,000 people under the authority would be distributed nearly equally between soldiers (a little less than 9,000 according to the official statistics in late 1976) and civilians (a little more than 9,000): **D114/65** Chet Bunna WRI, A10 [“I think Meas Muth’s position was a deputy of the General Staff at that time. His work and responsibility along with 18 thousands troops under his command reflected that position. Those troops included the vessel units, the infantry combat units, the transportation units, and other units. Under his control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative”].

657 *See, e.g.*, **D114/65** Chet Bunna WRI, A9-10 [“The territory under Meas Muth’s control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth’s control [...] A10: Under his [Meas Muth] control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative”]; **D54/89** Kuy Nen WRI, A6, 9 [mentions Babos and Put Thoeung cooperatives]; **D54/90** Kuy Nen WRI, A2 [“Babos Cooperative and Pu Thoeung Cooperative were here, and there were thousands of people in these two cooperatives including family members of the soldiers”]; **D114/86** Chet Bunna WRI, A14; **D114/33** Hem Ang WRI, A16-17.

658 **D114/307.6** Meas Muth VOA Interview, *Tribunal Suspect Find Court’s Role ‘Limited’*, 6 Oct 2011, EN 00746176, KH 01380588, FR 01529701 [“In fact, firstly, there were no civilians at my place. Secondly, there were only soldiers and their families. Therefore, there was no forced labor in my unit”].

659 **D114/94** Sam Vuthy WRI, A19, 38, 44, 57 [Phnom Penh evacuee explaining that he and 30 other “new people” were registered on a list to be assigned to work in a Kampong Som mobile unit in 1977; he worked at the Put Thoeung cooperative in Bet Trang]; **D114/38** Chum Roem (Chea Roem) WRI, A7, 20-21, 27 [explains that an entire female unit was transferred from Kampong Som salt fields to Kampong Som in about 1977 to work in a rubber plantation close to Stung Hav]; **D114/66** Chet Bunna WRI, A29 [explains that “there was a very small number of soldiers” who were married in Division 164 and that there was a rule applicable until 1978 stating that among Division 164 soldiers “no one under the age of 25 years-old was allowed to get married”; for those already married, “they were allowed to bring their wives from their birth village” but they were sent to live in the cooperative among the ordinary people”]; **D114/31** Moul Chhin WRI, A89-90, 92, 100 [“Later the troops were demobilised and our unit [Battalion 387 from Sector 37] was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals. Q: Why did they demobilise your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead [...] A92: In fact, the division, thousands of troops, was demobilised. The demobilised troops were assigned to work in different production units and were sent to different work spearheads [...] A93: The order clearly was issued by Ta Muth. Ta Muth’s men gathered us for a meeting and told us we would be sent to different worksites [...] Q: In which month or year did they accuse your group of being enemies? A100: At the end of 1977, and the entire former division was completely demobilised”] [*emphasis added*]; **D114/117** Nav Sokhan alias Ken WRI, A56-62, 235-331 [Base woman of Nheang Nhang commune, Tram Kak District, Southwest Zone transferred to Kampong Som in around September 1977 to work in a coconut plantation and being forcibly married]; **D114/47** Tae Ry WRI, A15-19 [Cham family relocated from Koh Ses to Kampong Som where there were separated and worked in various locations].

660 **D114/277.4** Kaing Guek Eav alias Duch, T. 13 Jun 2016, 11.13.54-11.15.35 [“And I’d like to mention one independent sector of Kampong Som. The Kampong Som independent sector did not report through the Southwest Zone secretary. It had to make a direct report to 870 [...] although, physically, it was part of the Southwest Zone. So usually 164 had to report to the Standing Committee -- that is the Politburo of the Party”]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A23, 28-30, 38 [“[Launh] was a leader in the

autonomous sector [...] Q: In your interview with the Documentation Center of Cambodia, you said that Kampong Som was an autonomous sector. When was this autonomous sector created? How was it created? A28: As far as I knew, the central government gave direct orders to the autonomous sector, and no-one else could give orders to this sector. Q: Who gave direct orders to the autonomous sector? A29: I just knew only the Centre did. I came to know this during a meeting when they said that Kampong Som was an autonomous sector. Q: Was that meeting held in your regiment? A30: I came to know that Kampong Som sector was an autonomous sector because I joined a meeting in the regiment and the internal meeting of Party members. Workers at the rubber plantation, workers at the port, and soldiers in Kampong Som all knew that Kampong Som sector was an autonomous sector because this information was widely disseminated [...] Q: Who was the instructor for the political education course? A38: Division Secretary Meas Muth"; **D114/159** Kaing Guek Eav alias Duch WRI, A10 ["Brother Muth was the secretary of Division 164, which was the sea division, and a special sector secretary in Kampong Som. There were some villages around Kampong Som Port and there was a separate port committee. Both the villages and the port were under the control of Brother Muth"] [*emphasis added*]; **D114/65** Chet Bunna WRI, A9-10 ["The territory under Meas Muth's control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth's control [...] A10: Under his [Meas Muth] control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative"; **D114/95** Yoem Sroeung WRI, A199-200 ["at that time Meas Muth controlled all the autonomous areas in Kampong Som except the Kampong Som Port, because that belonged to the State and was under the control of a person named Krin. Q: Does that mean Kampong Som was an autonomous sector controlled by Meas Muth? A200: Yes"]; **D22.1.10** FBIS, *Vorn Vet's Speech*, 16 Dec 1977, EN 00168355 ["you, Comrade Vice Premier Chen Yung-huei and the other Chinese comrades, have spent considerable physical energy touring many regions of Democratic Cambodia including the eastern, central, northern, northwestern, western and southwestern regions and the Kompong Som sector" (*emphasis added*); **D64.1.37** FBIS, *NCNA Correspondents Continue Cambodia Visit*, 20 Dec 1978, EN 00169127 ["On 12 December the group of HSINHUA News Agency correspondents led by Comrade Li Nan, deputy director of the HSINHUA International News Department, started its visit to the southwestern region, the Kompong Som sector and Phnom Penh city [...] On 14 December the HSINHUA News Agency representatives visited the Kompong Som sector, including the old and new ports and a number of other sites"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963744-45 ["Q: Those uncles often visited Kampong Som during that regime, did they? A: Yes, because it was one of the autonomous sectors [...] Meas Muth was in charge military affairs and I don't know any administrative cadres because the autonomous sector had a different structure"]].

661 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 09.47.20-09.50.18 ["the division was [...] within the military zone of Kampong Som [...] that military zone was actually located in the central army. It was division 164"]; **D54/47** Em Sun WRI, A21 ["I was told that Division 164 was under Military Zone 7, an autonomous zone. As far as I know, Military Zone 7 covered Kampong Som Sector"]; **D114/286** Heang Reth WRI, A9 ["The division convened a meeting to declare changes from Division 3 to Division 164. They said that the division was the Central and General Commander's division, not under the zone as before, because Kampong Som was an autonomous zone, and it was called the Navy"]].

662 Witness Em Sun, a Division 3 cadre from Battalion 450 (Special Unit) was detached to the Port in April 1975 and placed under Krin's authority: **D54/46** Em Sun WRI, A25 ["At first, my battalion was in Division 3, but we were sent to guard the workers at Kampong Som Port. Later, the port manager requested Division 3 to station my battalion at the port permanently"]; **D54/31** Soem Ny WRI, A3 [Around 25 April 1975: "When we arrived in Kampong Som, our Battalion 550 were ordered to be stationed at Kampong Som Port. Three days after we were stationed at that port, a 3,000-tonne Chinese cargo vessel which shipped husked rice entered. Later on Battalion 550 was assigned as the following: a company was ordered to stay guard at the port"]; **D114/286** Heang Ret (Hieng Reth) WRI, A9, 20, 23-27 [Battalion 450 cadre in 1975: "Once we arrived at Kampong Som, we were instructed to settle in some important locations such as the Treasure and Kampong Som Port [...] A20: [...] For the port, they took workers to stay there, thus, I left this area to them to take charge [...] A23: [...] at this port, there were also units from Battalion 450 [...] there were many companies [...] A24: I was ordered by the higher rank cadres to transfer that place [the port] to the Port Management Unit [...] A25: At that time, they [the Centre] rearranged the plans, and they let the port take control. At that time, they assigned a Chief of the Port apart from the division [...] A26: Meas Muth could not assign the Chief of the Port. First, when the port administrative structure was not in place yet, soldiers were allowed to

be based and protect the area. However, later the structure was in place. That's why the Chief of the Port was appointed. Q: How long did it take for the administrative structure to be set up? A27: It didn't take long. About two months after things were set up the Chinese ships started to dock at the port with goods"]. *Contra* **D54/98** Heang Ret WRI, A34 ["In Kampong Som, for military forces, there was only Division 164, but Port Authority had its own independent security forces"].

663 **D4.1.931** Sakim Lmut WRI, A10-11 ["I know Krin from the Port Committee [...] A11: When I went to Kampong Som with the Commerce Section I was asked to interpret"]; **D98/3.1.249** Sar Kimlomouth, T. 31 May 2012, 13.46.34-13.48.08 ["I believe that the commerce section and the port could have been inter-related"]; **D114/195** Neak Khoeurn WRI, A5 ["Meas Mut was a military commander. When I worked at the port, I was not under the command of Meas Mut. The port was on one side, and the military was on the other side. The man in charge of the port was Ta Krin; however, I heard that the military commander was in fact Ta Mut"]; **D114/95** Yoem Sroeung WRI, A199 ["at that time Meas Muth controlled all the autonomous areas in Kampong Som except the Kampong Som Port, because that belonged to the State and was under the control of a person named Krin"]; **D114/159** Kaing Guek Eav alias Duch WRI, A12 ["Thuch Rin was involved with the work at the port only. He did not get involved in work at the division or with the people"]; **D114/217** Neak Khoeurn WRI, A32 ["Krin ruled only over the loading and unloading unit, the construction unit, the fleet unit and the hospital"]; **D114/218** Sam Komnith alias Hut WRI, A18 ["Aok Krin was the chairperson of the port and Phou Saom was the vice chairperson of the port"]; **D54/31** Soem Ny WRI, A10-11 ["Q: What level was the control of that kerosene refinery under? A10: It was under the control of the Central. Meas Mut, Chea Krin, and Ta Launh were on the central committees in Kampong Som. Meas Mut was in charge of the military; Chea Krin was in charge of the port and the kerosene refinery, while Launh was responsible for fishery [...] A11: Meas Mut was the most senior chief; next after him were Chea Krin and Launh"]; **D54/46** Em Sun WRI, A25 ["At first, my battalion was in Division 3, but we were sent to guard the workers at Kampong Som Port. Later, the port manager requested Division 3 to station my battalion at the port permanently"]; **D125/143** Uong Thea WRI, EN 00239008 ["It was Ta Krin who was in charge of Commerce at Kampong Som port"]; **D114/241** Chheng Cheang WRI, A40.

664 **D54/47** Em Sun WRI, A9, 15, 17-18 [After 18 April 1975: "I did not witness Meas Mut's arrival in Kampong Som; however, after having stayed at Kampong Som Port for a few days, I saw Aom Krin alias Thuch Rin, who had arrived at the port [...] Q: While you were staying at Kampong Som Port for one week, how many times did you report to Division 3? A15: At that time I did not report to Meas Mut, but to Aom Krin, who was in charge of Kampong Som Port [...] A17: After I came back from Koh Tang Island, I was placed under Krin's supervision again [...] A18: In August 1975, a new division, Division 164, was established, and my company, Company 2, was integrated into the port unit, under Krin's supervision"].

665 **D54/47** Em Sun WRI, A34, 37 ["Krin left Kampong Som Port to attend a study session in Phnom Penh for one week, and returned to Kampong Som on 15 February 1978. When he came back, he convened a meeting and told all the workers that he had been appointed as an ambassador to Hong Kong. Later, Krin left, and the person who replaced him was not from the port, but from Division 164 [...] A37: During the meeting on 15 February 1978, Krin introduced Pheap and Suong, both of whom were from Division 164" (*emphasis added*)]; **D1.3.30.29** Interviews with Kampuchean Refugee at Thai-Cambodian Border, 25 Mar 1980, EN 00170746 ["Thuch Rin was also scared once when they decided to switch him from Chairman of Kompong Som Port to Hong Kong"]; **D54/47.2** Telegram from Commerce Committee to Thuch Rin (Krin) and Phal Va alias Nath in Hong Kong, 27 Oct 1978, EN 00701958-59, KH 00076290-91, FR 00665451 [discusses the transfer of name and shares in the Hong Kong based Cambodian company Ren Fung from Oeng Sok to Thuch Rin alias Krin and from Phal Va alias Nat to someone else]; **D98/3.1.249** Sar Kimlomouth, T. 31 May 2012, 15.39.47-15.48.15 [explains who Sok was and the circumstances of the transfer of shares to Krin, former Sea Ports committee: "Ren Fung was a company and there were Nat and Sok who were shareholders. And there was a transfer of share from one person to another. If it was the transfer from Nat to Krin, then Krin was the new shareholder, and Nat had nothing to do with the share anymore"], 15.52.04-15.55.14 [commented on another letter from the Commerce committee to Krin and Nat on 10 Dec 1978 by which Nat and Sok were recalled to Cambodia and their shares transferred to Krin]. *See also* the evidence of the imprisonment of Sok and his wife Nat in S-21: **D114/230.1.1** OCIJ S-21 Prisoner List, EN 01222853, Nos 12795, 14849 [No. 12795: Oeng Sok, Chief of Commerce in Hong Kong, State Commerce, entry date at S-21: 29 Dec 1978; No. 14849: Phal Va alias Nat, member of Committee commerce in Hong Kong, State Commerce, entry date at S-21: 30 Dec 1978].

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D54/47 Em Sun WRI, A34, 37 ["Krin [...] had been appointed as an ambassador to Hong Kong. Later, Krin left, and the person who replaced him was not from the port, but from Division 164 [...] Q: Who was the person from Division 164 who replaced Krin? A37: During the meeting on 15 February 1978, Krin introduced Pheap and Suong, both of whom were from Division 164. Pheap became the acting chief of the port, and Suong became his deputy. Later, perhaps in June or July 1978, Saroeun, from Division 164, was appointed the chief of the port. Pheap remained the deputy, but Suong instead was demoted to become a member. Saroeun did not stay at the port permanently. When he was absent, Pheap and Suong were in charge of the unit on his behalf. They did not select people from the port to hold important or high-ranking positions; they only selected people from Division 164" (*emphasis added*)]; **D114/195** Neak Khoeun WRI, A17, 19 ["Q: Do you know who replaced Krin in 1978? A17: I was there. I know what happened before we fled. Before the Vietnamese arrived, I fled from the port. In late 1978, it was more likely Ta Saroeun, who was slightly dark-complexioned. He had not yet been there one year when the regime fell, probably between five and six months. Ta Saroeun replaced Ta Krin [...] Q: Was Ta Saroeun from the military ranks? A19: I heard that he was from the military"]; **D54/73** Mut Mao WRI, A6, 9 ["Q: [...] [In Division 164] Who was the deputy of Meas Mut? A6: I do not know who the commanders and deputy were. But in his committee, there were three people: Ta Mut, Ta Saroeun and Ta Nhan [...] A9: Ta Saroeun was sent to Kampong Som Port"]; **D59/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 ["The first leaders [of Regiment 140] included Ta Saroeun [...] Saroeun was the chairman [...] Ta Saroeun was transferred to take charge of the port"]; **D54/82** Hing Uch WRI, A17 ["Yesterday, I talked about Saroeun. I suspect that Roeun and Saroeun were the same person"]; **D54/98** Heang Ret (Hieng Reth) WRI, A28 ["When Division 3 was re-designated Division 164 in Kampong Som, Meas Muth was the commander. The deputy commanders were often changed, including Ta Rin, Ta Chhan, and Ta Dim [...] Ta Nhan was the commander of Regiment 63. Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng"]; **D54/88** Soem Ny WRI, A26 ["Q: Who sent you from Kampong Som to the East Zone? A26: Ta Saroeun (deceased). He replaced Ta Kren after Kren disappeared"]].

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D22.1.10 FBIS, *Chinese Delegation Visits Kompong Som Area 12 Dec*, 13 Dec 1977, EN 00168349 ["Comrade Chen Yung kuei and the other Chinese comrades were warmly received and welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee; Comrade (Krin), deputy secretary of the Kompong Som town KCP Committee; Comrade (Lonh), member of the Standing Committee of the Kompong Som town KCP Committee"]; *Chen Yung-kuei Visits Southwest Region*, EN 00168350; **D54/47** Em Sun WRI, A32-33 ["I believe that Meas Mut's position was superior to Krin's because he came from the military committee [...] A33: [...] Meas Mut was in charge of the military; whereas Krin was in charge of civilians and workers at the port. Meas Mut was the representative of the Communist Part of Kampuchea in Kampong Som; whereas Krin was the Deputy Secretary"]; **D54/31** Soem Ny WRI, A10-12 ["Meas Mut, Chea Krin, and Ta Launh were on the central committees in Kampong Som. Meas Mut was in charge of the military; Chea Krin was in charge of the port and the kerosene refinery, while Launh was responsible for fishery [...] A11: Meas Mut was the most senior chief; next after him were Chea Krin and Launh [...] A12: They were assigned to take different responsibility under Meas Mut's control. Meas Mut bore joint responsibility including the sea area"]; **D4.1.1030** Chap Lonh US POW/MIA Statement, EN 00526844 ["Krin (Thuch Rin, Ok Krun), Deputy Secretary of the Kampung Saom Committee"]. See also **D114/218** Sam Komnith alias Hul WRI, A20 ["The Kampong Som City side was under the charge of the military. The Port of Kampong Som and Kampong Som City were under different rulers"]].

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D54/110 Lon Seng WRI, A9 ["This was not only for Division 164 but for any division belong to the central level. Commanders of those divisions were members of the general staff headquarter. When a division became a division of the central level, the commander of such division would become a member of the general staff committee"]; **D32/10** Khieu Saran WRI, A15 ["Q: Who were members of the general staff committee? A15: All division commanders and commanders of autonomous regiments and battalions such as Mao were members of the committee"]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680797-98, KH 00680803-04 ["After these people [Son Sen or Brother 89, Men San alias Ya and Seat Chhe alias Tum or Brother 81], there were other members including Meas Muth, responsible for navy, Sou Met, responsible for air force [...] Meas Muth and Sou Met were the member[s] of the General Staff responsible for navy and air force [...] General Staff membership lasted for one full regime"]; **D114/65** Chet Bunna WRI, A9 ["Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces"]; **D54/60.2** Meung Vet DC-Cam Statement, EN 01212291, KH 00975728 ["Q: So

Ta Mut was promoted to the general staff and he was in charge of the navy instead? A: The navy also. And he along with Ta Khieu, Ta Son Sen, were over the whole country. He was deputy commander of the general staff so he was in charge everywhere”].

669 **D54/54** Meas Voeun (Svay Voeun) WRI, A4-5 [“As for me, I was only a member of the Division 1 committee, and my division was under the West Zone. My division Zone echelon and was lower than that of Meas Mut’s Division, which was at Centre echelon [...] A5: In addition to being commander of the navy, Meas Mut was a full-rights member of the Party [...] I noticed his work reflected the duties of a member of the General Staff Committee because he had the authority to advise other military units such as my Division 1 on maritime operations”]; **D54/52** Meas Voeun (Svay Voeun) WRI, A9-10 [“Ta Soeung was in charge of Division 1. Q: Regarding the point that Meas Mut was instructed by Angkar to discuss this with Ta Soeung and Ta Ran, does this make it clear that Meas Mut had authority over the work within the zone? A10: Meas Mut was a representative of the Centre, so he had to monitor work done by those people”]; **D54/34** Ing Chhon WRI, A12 [“Division 1 would report to the telegram office of the ship unit at Koh Kong through a voice radio system. The telegraph operators then reported on to Ta Mut, who in turn would issue his orders. For your question about why Division 1 had to report the incidents to the telegram office of Division 164, this was because Division 1 had no fighting ships to handle such events”]; **D114/84** Ek Sophal WRI, A15 [“Q: If the troops, which were sent to Koh Tral Island to fight against Vietnam, were under Division 164’s command and control, why did Division 1 join the operation? A15: Division 1 troops were sent there as backup. They were there to support Division 164. Division 164 had requested forces from other divisions, and usually other divisions had to send their forces to help”]. *See also* about the war with Vietnam in 1978: **D54/50** Meas Voeun (Svay Voeun) WRI, A6 [“As it was a Centre division, Division 164 had the right to arrest and shoot to death the military forces of any division that retreated from the battlefield. Division 1 sent its military forces to the eastern border in the following manner; Ta Soeung, commander of Division 1, sent some units under his division to Division 164, and then Division 164 would deploy those forces to be stationed at their assigned targets”].

670 *See VIII.A.3. Categories of Bad and Affiliated Elements Within Division 164 that Were Purged* section, in particular **d) Perceived “Traitors” within Division 164 and their Networks.**

671 **D114/65** Chet Bunna WRI, A12 [“Dim was Meas Muth’s 1st deputy, and he was from the East Zone”]; **D54/8** Dol Song WRI, A12 [“Dim was transferred from the East Zone to be the deputy division commander of Meas Muth”]; **D54/97** Khoem Yat WRI, A5, 14 [“Dim went to Kampong Som before Sam and me. In Kampong Som, Dim was Division 164 Deputy Commander. Sam was in the regiment [...] A14: Meas Muth was the commander of the division, and Dim was his deputy”]; **D2/16** Touch Soeuli (Soeu Touch) WRI, A10 [“Dim became the deputy of the Division”]; **D114/78** Svay Sameth WRI, A21 [“ [Dim] was from the East Zone [...] Dim was a Deputy of Meas Muth”]; **D54/87** Prum Sarat WRI, A53 [“His deputy was Dim. The Division 164 Command Committee was composed of Meas Mut as commander, Dim as deputy”]; **D54/95** Khun Than (Chhun Than) WRI, A12 [“Dim was a Khmer Rouge soldier who was senior to my older brother [Khun Dim]. Dim served in a unit different from my older brother [in Sector 22]”]; **D54/44** Lon Seng WRI, A5 [“Dim became the deputy of Meas Mut. He was in charge of military commanding in Division 164”]; **D114/89** Seng Sin WRI, A15 [“In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander and Nget was a member”]; **D54/29** Liet Lan (Nam Lan) WRI, A19 [“after Division 164 had been mustered, [Dim] became a military commander and the deputy of Meas Mut. On my return from China, I was told that Dim had already been sent to another place”]; **D114/104** Iem Phong WRI, A50 [“Ta Chhan and Ta Dim were the deputy commanders”]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Mut’s first deputy was Dim from the East Zone. Dim disappeared in 1977 when there was the internal conflict”]; **D54/92** Yem Sam On WRI, A16; **D114/95** Yoem Sroeng WRI, A66; **D54/81** Hing Uch WRI, A14; **D114/113** Koem Men WRI, A31.

672 Most of the sources identify him as deputy commander; some others as member of the Division 164 Committee (and of Division 3 for the period following the merge between Division 3 and Chhan’s Sector 37 forces, including Battalion 386): **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016, 11.09.02-11.11.45 [“Chey Han alias Chhan, who was the deputy secretary of Division 164, who worked with Brother Mut”]; **D114/159** Kaing Guek Eav alias Duch WRI, A3 [“The most important person arrested from Kampong Som was Sao Chhan alias Han, who was the son of Norng Suon. I would like to correct the name. It was Chey Han alias Chhan”]; **D54/10** Meu Ret alias Saret WRI, A7 [“After Division 3 was re-designated Division 164, there was a man named Ta Chhan from Sector 37’s Koh Kong, and this two battalion-strong military unit merged with Division 164. Ta Chhan became a deputy commander of the division”]; **D114/65** Chet Bunna WRI, A12

["There were two other deputies under him namely Chhan and Dim. Dim was Meas Muth's 1st deputy"]; **D114/79** Kang Sum WRI, A267, 269 ["Q: Who were the Deputy Commanders of the Division? A267: Ta Dim and Ta Chhan were [...] A269: Ta Chhan was Deputy Commander of the Division"]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.04.35-15.07.21 [mentions that the members of Division Committee were Meas Muth, Dim, Chhan and Nhan]; **D54/87** Prum Sarat WRI, A86 ["Meas Mut, was Division 164 Commander for Political Affairs. Dim was Division Deputy Commander for Military Affairs. Chhan was a Deputy Commander. Nhan was responsible for Logistics"]; **D54/98** Heang Ret WRI, A28 ["When Division 3 was re-designated Division 164 in Kampong Som, Meas Muth was the commander. The deputy commanders were often changed, including Ta Rin, Ta Chhan, and Ta Dim"]; **D114/104** Iem Phong WRI, A50 ["Ta Chhan and Ta Dim were the deputy commanders"]; **D114/241** Chheng Cheang WRI, A87 ["Chhan was the deputy chief"]; **D114/89** Seng Sin WRI, A15 ["In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander and Nget was a member"]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742596 ["The 3rd division political officer was ((Meas)) Mut, the division operations officer was ((Dum)) (deceased) and the deputy division commander was ((Chhan))"]; **D4.1.747** Aek Ny US POW/MIA Statement, EN 00387291, KH 00640517 ["((Nong)) Chhan, was the political officer for the 3rd division"]; **D2/9** Say Born WRI, A30 ["After the reorganizing, the chief of the Division 164 was Mr. Mut, Mr. Dim from the East Zone became the deputy, and Chhan was the member"]; **D114/113** Koem Men WRI, A31 ["After deploying soldiers to the islands, they re-organized the division. Then there was Division 164. Meas Muth was the Division Commander, Dim (from Prey Veng Province) was his deputy and Chhan was a member"]; **D54/81** Hing Uch WRI, A14 ["The commander of Division 3 was Uncle Mut [...] Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut"]; **D114/79** Kang Sum WRI, A36, 269 ["Ta Muth was the Commander. Ta Dim was his Deputy. Ta Chhang was a member of the Division [...] A269: Ta Chhan was Deputy Commander of the Division"]; **D114/261** Chum Chy WRI, A34; **D54/17** Say Born WRI, A6-7, 10.

673 According to S-21 documents and some witnesses, in addition of being a regiment commander, Men Nget retained a position of member within the Division 164 committee after being demoted from his previous deputy commander position in Division 3: **D114/230.1.1** OCIJ S-21 Prisoner List, [identifying No. 5342 as Men Nget, a Division 164 member who; entered S-21 in June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 26; **D114/89** Seng Sin WRI, A15 ["In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander, and Nget was a member"]; **D54/104** Ek Ny WRI, A4 ["Men Nget was a member of Division 164"]; **D114/282** Ek Ny (Ni) WRI, A12 ["The people at the division level included Chhan, Uncle Ngeth, Brother Yan, and Brother Dim"]; **D114/95** Yoem Sroeng WRI, A64, 66 ["Q: Can you tell us the names of people you knew who were taken away? A64: They were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA [...] A66: For instance, Nget was Meas Muth's deputy. Dim was under Meas Muth at the division level. Chhan was also at the division level. Yan was a regimental chairman. Sokh was division medical chairman"]; **D54/48** Em Sun WRI, A58 ["Q: Did you know if any members of Division 164 were sent to Tuol Sleng or S-21? A58: I just heard that Nget and Sras were arrested"]; **D54/7** Dol Song WRI, A8 ["Nget was the Political Chairman of Regiment 20; he was arrested during the purge period in around 1977"]; **D54/8** Dol Song WRI, A4 ["As far as I remember, those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion"].

674 **D1.3.28.45** S-21 Prisoner List, 26 Aug 1977, EN 01321440 [identifying No. 3 Mam Chim alias Yan as Division Member of Division 164]; **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [identifying No. 1 Mom Yan as Division 164 Member, 30 who entered S-21 in May 1977]; **D114/116** Svay Saman WRI, A27 ["Mom Yan was in Division 164 in 1975"]; **D54/104** Ek Ny (Ni) WRI, A5 ["Yan was a member of Division 164"]; **D114/282** Ek Ny WRI, A12 ["The people at the division level included Chhan, Uncle Ngeth, Brother Yan, and Brother Dim"]; **D114/155** Sok Ren WRI, A67 ["Q: Who was the commander of Division 164? A67: [...] Meas Muth was a commander of Division 164 [...] Ta Dim, Ta Yan, and Ta Chhan served in Division 164"]; **D54/81** Hing Uch WRI, A14 ["Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut"]; **D114/32** Meas Saran WRI, A26 ["As far as I knew, Yan was Division 3 Committee"].

675 See, e.g., **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14156 [Chey Han alias Chhann, mentioning erroneously that he entered S-21 in November 1976]; **D114/145.1.1** Chey Han alias Chhan S-21 Confession, 10 Nov

1976, EN 01191572, KH 01176817 [contains annotations by interrogator Pon dated 19 October 1976, which establishes that he was arrested before his father and before November 1976, as mentioned in D114/230.1.1], EN 01191539, KH 01176685 [third interrogation was conducted on 24 October 1976]. *See also* other Case 003 references for Chey Han alias Chhan's S-21 confessions: **D22.2.42**, **D22.2.26**, **D22.2.30**, **D22.2.46**, **D22.2.39**, **D22.2.37**, **D22.2.28**, **D22.2.33**, **D22.2.23**, **D22.2.31**, **D22.2.32**, **D22.2.45**, **D22.2.41**, **D22.2.35**, **D22.2.43**, **D22.2.47**, **D22.2.38**, **D22.2.36**, **D22.2.44**, **D22.2.29**, **D22.2.25**, **D22.2.40**, **D22.2.34**, **D22.2.24**, **D22.2.27**; **D114/282** Ek Ny WRI, A11 ["Brother Chhan was directly below Ta Muth. Ta Muth arrested and took him to be killed at Boeng Cheung Ek Phnom Penh"]; **D114/226** Kim Hav WRI, A82-85 ["[Chhan] died in 1977 [...] A83: He died when Pol Pot called him to be re-educated. He was taken to be killed. He was told to go to study, and he disappeared. Q: Who came to call him to go to be re-educated? A84: The zone group [...] A85: At that time, when we heard that one person was called to go to be re-educated, it meant that the person would be taken to be killed"]; **D114/159** Kaing Guek Eav alias Duch WRI, A33 ["The most important person arrested from Kampong Som was Sao Chhan alias Han, who was the son of Norng Suon. I would like to correct the name. It was Chey Han alias Chhan"]; **D114/89** Seng Sin WRI, A60 ["I do not know how many soldiers were sent back at that time. The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting"]; **D4.1.747** Aek Ny US POW/MIA Statement, EN 00387291, KH 00640517 ["((Nong)) Chhan, was the political officer of the 3rd division. He was killed in a purge of command personnel from the division in 1976"]; **D114/104** Iem Phong WRI, A53 ["Ta Chhan was taken away first, and Ta Dim was taken away later"]; **D114/113** Koen Men WRI, A126, 258; **D114/130** Iem Phong WRI, A28; **D54/10** Meu Ret WRI, A7-8; **D69.2.20** BBC SWB, *Far Eastern Relations*, 14 Oct 1978, EN S 00013194, KH S 00810138, FR S 00793509. *See also* para. 350 [where it is explained that Chhan was first removed from Division 164, transferred to the General Staff and then arrested from there, a strategy used to avoid any resistance from him].

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D114/230.1.1 OCIJ S-21 Prisoner List, No. 1624 [entered S-21 on 21 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 11 [executed 8 December 1977]; **D1.3.28.40** S-21 Execution Log, 9 Dec 1977, EN 00873621, KH 00009252 [No.172: Hoeng Doeun alias Doem, identified as Deputy Secretary of Division 164]; **D1.3.28.40** List of Prisoners Who Were Smashed and Photographed on 8 December 1977, EN 00873280-81, KH 00009146 [No. 2: Hing Doeun alias Dim, identified as Deputy Secretary of Division 164]; **D1.3.28.40** S-21 Execution Log, EN 00873281; **D1.3.28.27** S-21 Prisoner List, EN 01215100, KH 00088754 [identifying No.2 as Oeng Doeun alias Dim, Deputy Commander of Division 164]; **D1.3.28.49** S-21 Prisoner Interrogation Log, EN 00937118, KH 00082795-96 [arrested 21 Apr 1977, end of interrogation 20 Jul 1977]; **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00224085; **D1.3.18.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D1.3.18.2** Hang Doeun (Hoeng Doeun) alias Dim S-21 Confession; **D114/85** Chet Bunna WRI, A11 ["Q: [...] This document is D1.3.18.1 with Khmer ERN 00162140] A11: Yes [...] This is Dim, whom I mentioned. When I see this document and the date, I can say for sure that it is correct because they took those people away in early 1977"]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 ["Mut's first deputy was Dim from the East Zone. Dim disappeared in 1977 when there was the internal conflict"]; **D114/104** Iem Phong WRI, A50, 53-54; **D54/104** Ek Ny WRI, A10; **D54/8** Dol Song WRI, A13 ["No one knew who came from where to arrest whom. I only knew that Dim was accused of being a traitor. Dim and other East Zone people were taken away, but we did not know [where] they were taken"]. *See also* para. 358 [for indications that Dim was removed from his position, arrested and detained some time before his transfer to S-21].

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D114/230.1.1 OCIJ S-21 Prisoner List, No. 4797 [entered 28 April 1977, executed 13 March 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 24 (and No. 27 – duplicate); **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [identifying Mom Yan as Division 164 Member, 30, entering date at S-21: May 1977]; **D1.3.28.45** S-21 Prisoner List, 26 Aug 1977 [identifying Mam Chim alias Yan as Member of Division 164]; **D54/104** Ek Ni WRI, A5 ["Yan was a member of Division 164 [...] Yan was among traitors whose names were made a rhyme by Ta Mut"]; **D54/8** Dol Song WRI, A4-5 ["those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion [...] A5: They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings"]; **D54/102** Ek Ny WRI, A1 ["In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men's names starting

with the word ‘A (the contemptible)’ because ‘A’ was the derogatory word for use on the traitors”]; **D114/116** Svay Saman WRI, A26-33 [explains that Mom Yan, Regiment 63 commander, disappeared in 1977]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island near Ream”]; **D54/81** Hing Uch WRI, A14 [“Later Yan also came in to take charge of Division 164 with Uncle Mut. He was a former commander of Regiment 63”]; **D114/95** Yoem Sroeung WRI, A64, 67, 226 [“They were Nget, Dim, Yam, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA [...] A67: I knew those people were called away, and two or three days later Regiment 140 Chairman Han told us in a meeting that those persons were enemies burrowing from within [...] A226: My commander Han told me about this. All of them were considered traitors within the army’s ranks”].

678 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 5342 [identifying Division 164 member; entered S-21 in early June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 26; **D1.3.5.5** S-21 Name List of three cadres from Division 164, KH 00159970 [two are marked as being already arrested; no English translation available]; **D54/104** Ek Ny WRI, A4 [“Men Nget was a member of Division 164. He was arrested”]; **D114/95** Yoem Sroeung WRI, A64, 67 [“Q: Can you tell us the names of people you knew who were taken away? A64: They were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA”]; **D54/48** Em Sun WRI, A58 [“Q: Did you know if any members of Division 164 were sent to Tuol Sleng or S-21? A58: [...] I just heard that Nget and Sras were arrested”]; **D54/7** Dol Song WRI, A8 [“Nget was the Political Chairman of Regiment 20; he was arrested during the purge period in around 1977”]; **D54/8** Dol Song WRI, A4-5 [“those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion [...] A5: They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings”]; **D54/10** Meu Ret alias Saret WRI, A5 [“The deputy commander was Nget [...] he later disappeared from the division”].

679 See para. 208.

680 See para. 244.

681 As regards his position as Deputy Commander of Division 164: **D54/73** Mut Mao WRI, A6, 9 [“[In Division 164 Committee], there were three people: Ta Mut, Ta Saroeun and Ta Nhan [...] A9: Ta Saroeun was sent to Kampong Som Port”]; **D54/98** Heang Ret (Hieng Reth) WRI, A28 [“When Division 3 was re-designated Division 164 in Kampong Som, Meas Muth was the commander. The deputy commanders were often changed, including Ta Rin, Ta Chhan, and Ta Dim [...] Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng”]; **D54/23** Pak Sok WRI, A1 [“Ta Saroeun, also dead, was the deputy of Meas Mut in charge of the military”]; **D114/95** Yoem Sroeung WRI, A224-225 [“In Regiment 140, there was Saroeun, the political chairman (deceased). Below Saroeun, there were Seng (deceased), Saroeun’s deputy, and Sam, Seng’s member [...] A225: When Saroeun was promoted to division level, Seng replaced Saroeun, Sam replaced Seng, and Han replaced Sam”]; **D54/81** Hing Uch WRI, A14 [In the Division Committee, “Saroeun came in to replace Yan. Saroeun was from Regiment 140 and probably replaced Ta Yan”]; **D54/82** Hing Uch WRI, A17 [“I suspect that Roeun and Saroeun were the same person”]. Regarding his assignment as the head of the Kampong Som Port see **D54/47** Em Sun WRI, A34, 37 [“Krin left Kampong Som Port to attend a study session in Phnom Penh for one week, and returned to Kampong Som on 15 February 1978. When he came back, he convened a meeting and told all the workers that he had been appointed as an ambassador to Hong Kong. Later, Krin left, and the person who replaced him was not from the port, but from Division 164 [...] Q: Who was the person from Division 164 who replaced Krin? A37: During the meeting on 15 February 1978, Krin introduced Pheap and Suong, both of whom were from Division 164. Pheap became the acting chief of the port, and Suong became his deputy. Later, perhaps in June or July 1978, Saroeun, from Division 164, was appointed the chief of the port. Pheap remained the deputy, but Suong instead was demoted to become a member. Saroeun did not stay at the port permanently. When he was absent, Pheap and Suong were in charge of the unit on his behalf. They did not select people from the port to hold important or high-ranking positions; they only selected people from Division 164”]; **D114/195** Neak Khoeun WRI, A17, 19 [“Q: Do you know who replaced Krin in 1978? A17: [...] In late 1978, it was more likely Ta Saroeun [...] He had not yet been there one year when the regime fell, probably between five and six months. Ta Saroeun replaced Ta Krin [...] A19: I heard that he was from the military”]; **D54/88** Soem Ny WRI, A26 [“Q: Who sent you from Kampong Som to the East Zone? A26: Ta Saroeun (deceased). He replaced Ta Kren after Kren disappeared”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 [“Ta Saroeun was transferred to take charge of the port”].

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D114/113 Koem Men WRI, A126 [“In 1977 [...] In Division 164, new people came and replaced them [Dim and Chhan]. There were Brother Nhan and another person whose name I do not recall. They were Meas Muth’s deputies”]; **D114/79** Kang Sum WRI, A229 [At Au Mlou worksite: “Ta Nhan ordered us to dig rocks to complete that quota. Ta Nhan was the Deputy Commander of Division 164. He was in charge of logistics”]; **D54/73** Mut Mao WRI, A6, 8-9, 16 [In Division 164 Committee: “there were three people: Ta Mut, Ta Saroeun and Ta Nhan [...] Q: “[How] do you know that Ta Saroeun and Ta Nhan were in Meas Mut’s committee? A8: Because they all stayed in the office compound, but in different houses. They had meals together in the kitchen and sometimes their messengers delivered their meals to them in their houses [...] A9: Ta Saroeun was sent to Kampong Som Port [...] A16: After Ta Saroeun had been sent to Kampong Som, Ta Seng arrived. When Meas Mut was not present, Ta Seng and Ta Nhan came”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.04.35-15.07.21 [mentions that the members of the Division 164 Committee were Meas Muth, Dim, Chhan and Nhan]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 09.19.34-09.21.26; **D54/87** Prum Sarat WRI, A86; **D114/186** Sath Chak WRI, A176-178 [“Who was in charge of, or commanded, that worksite (Kang Keng fields)? Do you remember the name of the person in charge or the name of the unit? [...] A177: The person in overall charge was Nhan. Q: Do you remember which unit he was from? A178: He was the Deputy Commander of Division 164”]; **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249694, KH 00741997 [“The Command Committee of the 3rd Division included [...] ((Nhan)) – Member of the Committee for Logistics”]; **D114/103** Liet Lan (Nam Lan) WRI, A25, 111 [“Q: Who else were division members? A25: Nhan (deceased). He had come from Division 3 [...] A111: Lan (deceased) and Nhan (in charge of Division 3 Logistics)”]; **D54/23** Pak Sok WRI, A1 [“Ta Nhan’s family name was Nhet; he was the deputy of Meas Mut in charge of economics after Dim disappeared. Ta Nhan died. Hang Doeun alias Dim, also dead, was Meas Mut’s deputy in charge of economics before being replaced by Ta Nhan [...] Ta Nhan was a member of Ta Mut’s [command committee] from late 1978 to 1979. At the time the country was in chaos and the division lacked deputies for its work, and for this reason Nhan was moved from commander of Regiment 63 to become a member of the division [committee]”]; **D54/23** Pak Sok WRI, A6 [“Ta Nhan was a member of Ta Mut’s [command committee] from late 1978 to 1979. At the time the country was in chaos and the division lacked deputies for its work, and for this reason Nhan was moved from commander of Regiment 63 to become a member of the division [committee]”]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A12 [“At that time Meas Mut was the Division chairman, and Ta Nhan was the Division [164] member”]; **D114/66** Chet Bunna WRI, A19 [“I usually saw Nhann and Seng representing the Division in every meeting during the period near the end of the Khmer Rouge regime in late 1978”]; **D114/12** Neak Yoeun WRI, A27; **D114/79** Kang Sum WRI, A229 [“Ta Nhan was the Deputy Commander of Division 164. He was in charge of logistics”]; **D114/16** Sok Vanna WRI, A1.

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See the details below, **VIII.I. Purge of Division 117 and Sector 505**. See also **D114/52** Cheang Chuo WRI, A35, 40-42 [“Ta Nhan came to take charge of Division 117 [...] A40: [...] at that time, Meas Muth came to organise Division 117 and assigned Ta Nhan commander of Division 117 [...] A41: I learned that through the new commander, Ta Nhan. Ta Nhan said, ‘Brother Meas Muth has come to Kratie to reorganise Division 117’ [...] A42: [...] Ta Nhan went to command Division 117 about a month before the arrival of the Vietnamese soldiers in approximately late November or early December 1978”]; **D54/110** Lon Seng WRI, A5-6; **D114/193** Sao Sarun WRI, A64; **D4.1.444** Sao Sarun WRI, EN 00278696; **D114/192** Chen Phat WRI, A41-42; **D114/102** Em Sarin WRI, A22; **D54/62** Moeng Vet WRI, A30; **D54/63** Moeng Vet WRI, A1; **D114/149** Touch Chhum WRI, A13; **D54/29** Liet Lan (Nam Lan) WRI, A15; **D114/18** Mak Chhoeun WRI, A16.

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D54/79 Nop Hal WRI, A26 [“Ta Mut was Division Commander. Ta Seng and Ta Mut were in charge of the division. Ta Mut was the senior level commander and had been in charge of the division a long time. When Ta Seng came, he worked as a subordinate of Ta Mut. So, Ta Mut held a more senior position than Ta Seng”]; **D54/81** Hing Uch WRI, A14-15 [“Later at the end of 1978 Seng from Regiment 140 came to the Division and worked there until the Vietnamese arrived in 1979. He had authority to give orders [...] I did not know where Uncle Mut was because I got orders directly from Seng [...] A15: I noticed that Seng was always the one who gave orders during that time”]; **D54/10** Meu Ret alias Saret WRI, A9 [“After the navy was created, Seng became a deputy commander of Regiment 140. Later, he became a deputy commander of Division 164”]; **D54/98** Heang Ret (Hieng Reth) WRI, A28, 35 [“After Tim Seng was promoted to chairperson of Division 164 instead of Meas Muth in 1979 during the fierce combat with the Vietnamese, Ta Han became the commander of Regiment 140 [...] A35: Meas Muth led military forces to fight the Vietnamese soldiers at

the Cambodia-Vietnam border. At that time, Tim Seng became the commander of Division 164”]; **D54/29** Liet Lan (Nam Lan) WRI, A3 [“Seng told me Meas Mut was an assistant to the General Staff. Seng knew about this because, when Meas Mut was absent from Kampong Som, he was in charge”]; **D54/73** Mut Mao WRI, A16 [“After Ta Saroeun had been sent to Kampong Som, Ta Seng arrived. When Meas Mut was not present, Ta Seng and Ta Nhan came. But I did not know who was in charge”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974098, KH 00926542-43 [“Tim Seng [...] Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh”]; **D114/103** Liet Lan WRI, A22, 24 [“Q: From which year to which year was Tim Seng in command of the Navy? A22: From 1975 to 1978 [...] Q: Who was commander of your regiment? A24: Tim Seng. He was also a division member”]; **D54/23** Pak Sok WRI, A1 [“Seng was also a deputy of Ta Mut. I do not know his functions clearly, but I saw him commanding a ship”]; **D114/215** Meas Im WRI, A29, 32 [“Q: You said earlier that Meas Muth went to Phnom Penh in 1977 or 1978. Why did you say something like that? A29: I said that because I received instructions from Mienh, and it was that Mienh who had received the work plan from Tim Seng [...] Q: What were the roles and duties of Tim Seng? A32: [...] Tim Seng went to study naval military techniques in China. Upon return, he was on permanent duty at the division location”].

685 **D114/215** Meas Im WRI, A29, 66 [“Q: You said earlier that Meas Muth went to Phnom Penh in 1977 or 1978. Why did you say something like that? A29: I said that because I received instructions from Mienh, and it was that Mienh who had received the work plan from Tim Seng [...] Q: In connection with the work at the worksite, did Mienh ever instead receive any instructions from anywhere else? A66: Before, he received orders directly from Meas Muth”]; **D114/66** Chet Bunna WRI, A19 [“I usually saw Nhann and Seng representing the Division in every meeting during the period near the end of the Khmer Rouge regime in late 1978”]; **D54/98** Heang Ret (Hieng Reth) WRI, A28, 35 [“Tim Seng was promoted to chairperson of Division 164 instead of Meas Muth in 1979 during the fierce combat with the Vietnamese [...] A35: Meas Muth led military forces to fight the Vietnamese soldiers at the Cambodia-Vietnam border. At that time, Tim Seng became the commander of Division 164”]; **D54/23** Pak Sok WRI, A9 [“when Meas Mut went to Kratie, Ta Seng was in charge of the division command”]; **D54/29** Liet Lan (Nam Lan) WRI, A3 [In late 1978: “Seng told me Meas Mut was an assistant to the General Staff. Seng knew about this because, when Meas Mut was absent from Kampong Som, he was in charge. I did not know how often Meas Mut made the trip between Phnom Penh and Kampong Som”]; **D54/81** Hing Uch WRI, A14-15 [“Later at the end of 1978, Seng from Regiment 140 came to the Division and worked there until the Vietnamese arrived in 1979. He had authority to give orders. I did not know what position he held [...] A15: I noticed that Seng was always the one who gave orders during that time”]; **D54/48** Em Sun WRI, A19 [“In case that Meas Mut was absent, Tim Seng [...] took responsibility on his stead, but they had their own radio number. Meas Mut had the radio number 63”]; **D54/73** Mut Mao WRI, A16.

686 **D54/100** Lay Boonkak (Lay Bunhak) WRI, A93, 96 [“Tim Seng came to replace Meas Muth and he was a former manager of the battleship unit. When Tim Seng came to replace Meas Muth, he controlled all military units in Kampong Som [...] Q: You said in the interview that although Ta Muth was far from the division, he still gave orders to the division through Tim Seng. How do you know that? A96: Meas Muth was moved to the General Staff, so he ordered all of work from the upper echelon through Tim Seng; then Tim Seng controlled the work and passed on those orders”]; **D54/79** Nop Hal WRI, A26 [“Ta Mut was Division Commander. Ta Seng and Ta Mut were in charge of the division. Ta Mut was the senior level commander and had been in charge of the division a long time. When Ta Seng came, he worked as a subordinate of Ta Mut. So, Ta Mut held a more senior position than Ta Seng”].

687 **D114/216** Meas Im WRI, A21, 27 [“Q: What is your fourth brother’s name? A21: Meas Muth! [...] Q: What is your fifth brother’s name? A27: I am the fifth child”]; **D114/214** Meas Im WRI, A1-2; **D1.3.30.6** DK General Staff Report, *Second General Staff Study Session - Table of Participant Statistics*, 23 Nov 1976, EN 00195331, KH 00008465-66, FR 00623209 [No. 181, Meas Im, undetermined position, Division 164]. Note that a posterior translation mentions his position in November 1976 as being a Battalion Commander (identical to Pheap who preceded him on the list); **D114/77.1** DK General Staff Report (attachment to D114/77 Svay Sameth WRI), EN 01156172, KH 01101693; **D54/78.1** Nop Hal DC-Cam Statement, EN 00968387 [“Ta Oem was a younger brother of Meas Mut”]; **D54/70** Mut Mao WRI, A24 [“I heard his [Meas Im] name, but I never saw his face. He was a brother of Meas Mut”].

688 **D54/49** Em Sun WRI, A34-35 [“Oem was on a port building committee in Stueng Hav. Oem was Meas Mut’s younger half brother [...] Q: What were Oem’s position and duty? A35: [...] After the 1975 ‘Liberation’, Meas Mut took him along and appointed him to the Stueng Hav Committee”]; **D114/58** Som

Saom WRI, A14, 16 ["the area where the dam was located was under Division 164 control. I also know that Meas Im was responsible for the logistics. In fact, I did not know what the word 'logistics' meant. I just knew that Meas Im was in charge of the dam. Meas Im was responsible not only for that dam [Ochheuteal Dam] but also for the worksites at Kang Keng (a rice field worksite and Pou Thoeung (Dam worksite). He was in charge of the logistics of the area [...] A16: It was in 1977 [...] Meas Im was responsible for all the worksites including the ones at Kang Keng as well"]; **D54/20** Sam Saom, A14 ["I went to do labor work at Kang Keng Airport for one month. It was difficult work. I farmed rice in a mobile unit under the leadership of Ta Im. Im was the next highest ranking cadre under Meas Mut. Im was in charge of the work at the Kang Keng worksite and was also the deputy commander for logistics of Division 164. I think that Im was perhaps one of Meas Mut's relatives but do not know if he was one of Meas Mut siblings or cousins" (*emphasis added*)]; **D114/215** Meas Im DC-Cam Statement, EN 01301422 ["In 1976, deputy chief of division 164 Dem promoted Im to the position of chief mechanic of the Division. He was responsible for truck and tractor repair. There were 800 soldiers under his supervision"]; **D114/214** Meas Im WRI, A28 [claiming that he managed only 2-3 tractors at Stung Hav worksite and not 800 soldiers].

689 *See, e.g.,* **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968420, KH 00926644 ["Q: Who was the chairman of Regiment 61? A: The chairman of Regiment 61 was Ta Ngaet earlier. Q: Ta Ngaet. After that? A: After that, it was Ta Seng. Oh, it was Ta Seng [...] Later on, the chairman of Regiment 61 was Ta Pheap. They were reshuffled constantly at that time"].

690 **D54/10** Meu Ret alias Saret WRI, A2, 9 ["I was an ordinary soldier in the division's Regiment 20 commanded by Seng, deceased, of Battalion 430 commanded by Roem [...] A9: There was only one person I knew by the name of Seng, and he was the commander of Regiment 20. After the navy was created, Seng became a deputy commander of Regiment 140. Later, he became a deputy commander of Division 164"]; **D114/95** Yoem Sroeung WRI, A15, 221 ["The commander of Regiment 20 was Seng [...] A221: Before, Seng was the commander of Regiment 61; later, Son replaced him"]; **D54/46** Em Sun WRI, A37 ["It was not Yim Seng, but Tim Seng who was the Chief of Regiment 20 and Nget was the Chief of Regiment 21. Nhanh was in charge of logistics. Sras was the Chief of Regiment 22"].

691 **D114/95** Yoem Sroeung WRI, A222 ["Q: Where did Seng go? Why did he cease being the commander of Regiment 61? A222: Because Seng was moved to Regiment 140"]; **D54/10** Meu Ret alias Saret WRI, A9 ["he [Seng] was the commander of Regiment 20. After the navy was created, Seng became a deputy commander of Regiment 140"]; **D114/132** Mao Ran WRI, A177 ["Q: We have received information that Tim Seng was also once the commander of Regiment 140. Have you ever heard this name? A177: I heard of him and knew him. He was Saroeun's deputy commander"]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 ["Q: And did Regiment 140 consist of Ta Seng – was he the leader? [...] A: The first leaders included Ta Seng [...] a deputy"]; **D1.3.5.4** S-21 Prisoner List of People implicated by Enemies EN 01149197 [Nos 1, 2, 3: identifying Seng as Deputy Commander of Regiment 140 and Saroeun as Commissioner]. *See also* para. 244.

692 **D2/8** Say Born WRI, A45 ["Nget was the commissar of the Regiment 20 or 61 [...] The commissars were not changed before and after the fall of Phnom Penh"]; **D54/7** Dol Song WRI, A8 ["Nget was the Political Chairman of Regiment 20; he was arrested during the purge period in around 1977. I do not remember who the Political Chairman of Regiment 21 was, but Yan was the Political Chairman of Regiment 22"]; **D54/8** Dol Song WRI, A4 ["those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963712, KH 00926446 ["Q: Was it Regiment 20 under Nget's command? A: Yes"]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968420, KH 00926644 ["The chairman of Regiment 61 was Ta Ngaet earlier"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 ["They did farming at Smach Deng under the supervision of Ta Nget, who was a regiment commander"]. *See also* **D114/230.1.1** OCIJ S-21 Prisoner List, [identifying No. 5342 as Men Nget, Division 164 member who entered S-21 in June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 26 EN 00679642; **D114/89** Seng Sin WRI, A15; **D114/282** Ek Ny WRI, A12; **D54/104** Ek Ny WRI, A4; **D114/95** Yoem Sroeung WRI, A62, 66; **D54/46** Em Sun WRI, A58. Em Sun confused some roles and positions within Division 164: **D54/46** Em Sun WRI, A37 ["It was not Yim Seng, but Tim Seng who was the Chief of Regiment 20 and Nget was the Chief of Regiment 21"].

693 **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963711, KH 00926445 ["Mao Son was the commander of Battalion 370"]; **D114/95** Yoem Sroeung WRI, A15, 221 ["The commander of Battalion 370 was Son. The commander of Regiment 20 was Seng, and the commander of Division 3 was Meas Muth [...] A221: Before, Seng was the commander of Regiment 61; later, Son replaced him"]; **D59/1/1.14** Hing Uch DC-Cam

Statement, EN 00970734 ["Q: Who was Son? A: He was a Battalion commander. Q: Was a commander of Battalion 370? A: Yes"]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969931, KH 00926308 ["Q: Who was in charge of 61? A: It was Ta Son"]; **D54/81.2** Hing Uch DC-Cam Statement, EN 01001396, KH 00984339 ["brother Son was sent to Regiment 61"]; **D54/110** Lon Seng WRI, A17 ["Son was a commander of Regiment 62"]. Mao Son might be the commander Nav Sokhan alias Ken was forcibly married to in Stung Hav in 1977 or 1978 (although she thought he was Regiment 140 commander): **D114/117** Nav Soka alias Ken WRI, A247-250, 267-269 [mentioning Mot or Sun Mot].

D1.3.30.6 DK General Staff Report, *Second General Staff Study Session - Table of Participant Statistics*, 23 Nov 1976, EN 00195331, KH 00008465-66 [listing Pheap as Regiment Commander in Division 164]; **D54/9** Min Phon WRI, A5 ["At Stueng Hav, my company was put under the command of a battalion of Regiment 61, Division 164. My new battalion was located outside Stueng Hav [...] I also remember the name of the commander of Regiment 61. His name was Pheap"]; **D114/208** Long Phansy WRI, A21 ["I reported up to the regiment chiefs whose names were Pheap and Lan"]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 ["His regiment chief was Pheap (Sok Peap)"]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968420, KH 00926644 ["Q: Who was the chairman of Regiment 61? A: The chairman of Regiment 61 was Ta Ngaet earlier. Q: Ta Ngaet. After that? A: After that, it was Ta Seng. Oh, it was Ta Seng [...] Later on, the chairman of Regiment 61 was Ta Pheap. They were reshuffled constantly at that time"]; **D4.1.752** Unknown US POW/MIA Statement, EN 00387359, KH 01519658 ["The commander of the 61st Regt was ((Pheap))"]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742597 ["The 61st Regiment operated near Trapeang Khlung (not found on available maps). The regimental commander was ((Pheap))"].

D114/57 Som Soam alias Ket WRI, A8 ["the unit based in Koh Rong Sanloem Island was under the control of Regiment 61. Under the control of Regiment 61, were islands such as Koh Kong, Koh Rong Thom and Koh Rong"]; **D114/285** Prum Sarat (Bun Sarath) WRI, A144 ["Regiment 61 was in Koh Rung Thom"]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968388, KH 00926615 ["Regiment 61 was deployed there [Koh Rong]"]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969931, KH 00926308 ["61 was at Koh Rong"].

D54/81.2 Hing Uch DC-Cam Statement, EN 01001394, KH 00984337 ["Q: Where did you stay when you first arrived in Kampong Som? A: I stayed in Ou Chheu Teal [...] Only my Battalion stayed in Ou Chheu Teal [...] I stayed from 75 until early 76"]; EN 01001395, KH 00984338 ["Q: When your Division was changed to Division 164, what was your regiment number? A: Regiment 61"]; **D114/95** Yoem Sroeung WRI, A35, 37, 40 ["We stayed at Kampong Som Port for two or three days; then we went to Ou Chheu Teal until 1976 [...] A37: My regiment, Regiment 61, was at Ou Chheu Teal [...] Q: What did you do when you were at Ou Chheu Teal? [...] A40: We defended the sea because we were afraid of secret agents coming to spy"]; **D54/99** Lay Boonhak WRI A31 ["When I arrived in Kampong Som, my unit was located at Ou Chheu Teal"].

D114/178 Oem Sokhan WRI, A39 ["Q: Was Stueng Hav Regiment 61's headquarters or base? A39: It [was] Regiment 61 Headquarters"]; **D54/83** Hing Uch WRI, A36-38, 42 ["I stayed at Stueng Hav about one or two months, in early 1977 [...] A37: Because my Regiment 61 was moved to Stueng Hav and was stationed there [...] A38: Only three battalions were relocated to Stueng Hav [...] The numerical designation of my battalion was 412 or 312 [...] A42: I remember that Regiment 61 Headquarters was located close to Chamkar Doung Plantation and Ou Tres at Stueng Hav"]; **D114/95** Yoem Sroeung WRI, A178, 180 ["Q: In what year did you go to Stueng Hav? A178: I went there in mid-1977 [...] Q: Were soldiers stationed on land at Stueng Hav? A180: Yes, Regiment 61"]; **D114/208** Long Phansy WRI, A24 ["The meetings with the regiment were held at the office of the regiment right at Stung Hav"]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387278, KH 01496677 ["The 20th Regiment was based at Stung Hav and the oil refinery"]. See, **VIII.E. Stung Hav Worksites** section for further details about the worksite authority structure and organisation.

D4.1.751 Unknown US POW/MIA Statement, EN 00387258, KH 01519652 ["The 20th regiment had subordinate to it the 320th, 330th, and 370th Battalions"]; **D114/79** Kang Sum WRI, A31 ["There were three Battalions. They were Battalions 330, 320 and 310"]; **D54/99** Lay Boonhak WRI, A17 ["Battalion 370 was under Regiment 20"]; **D114/186** Sath Chak WRI, A116-117; **D54/36** Brak Sokha WRI, A2, 9, 11; **D114/264** Chum Chy WRI, A40; **D54/105** Ek Ny WRI, A4; **D54/43** Lon Seng WRI, A15; **D114/78** Svay Sameth WRI, A16; **D114/95** Yoem Sroeung WRI, A12, 15, 220; **D2/8** Say Born WRI, A54 ["I heard about Battalions 380 and 370"]; **D114/260** Sorn Soth WRI, A33.

D114/230.1.1 OCIJ S-21 Prisoner List, [identifying No. 13155 as Sek Hieng or Sek Phieng, Battalion 613 Deputy Secretary who was arrested on 23 April 1977 and died of disease on 14 February 1978], [identifying

No. 8618 as Soeng Krin alias Nguon, Company Commander, Battalion 611, who entered S-21 on 18 Dec 1976], [identifying No. 4160 as Sok Hoeun, Secretary of Company 2, Battalion 611, Regiment who entered S-21 on 24 May 1977]; **D4.1.1070** Soeng Krin alias Nguon S-21-Confession; **D114/43.7** S-21 Prisoner List (Name List of Prisoners entering in May 1977), EN 01477849 [No. 56 identified as Sok Oeun, Secretary of Company, Battalion 611 who entered S-21 on 24 May 1977]; **D114/208** Long Phansy WRI, A16-17, 23 ["They removed me from artillery and assigned me to take charge of an existing battalion at Stung Hav [...] A17: Battalion 612 [...] A23: In Battalion 612, the jobs included stone drilling, stone breaking, dragging stone to shield the worksite and other work"]; **D54/83** Hing Uch WRI, A38 ["There were four battalions in Regiment 61. Only three battalions were relocated to Stung Hav. I do not know about the other battalion. But for my battalion, we went to take technical classes. The numerical designation of my battalion was 412 or 312. I am not sure"].

700 **D114/79** Kang Sum WRI, A121, 126, 148-153, 156-163, 229 [Battalion 310 soldier explaining how about 300 soldiers from his battalion including himself were attacked on Koh Krachak Ses (Koh Poulo Tang Sang) in mid-1975 and were taken tied and blindfolded to Koh Tral where they were detained and worked for about 3 months as prisoners of war]; **D54/43** Lon Seng WRI, A15 ["the fighting was on Koh Poulo Wai Island. As I remember, one day, around 300 or 400 Vietnamese troops came ashore on Koh Poulo Wai Island from a P-111 vessel. At the time, other Vietnamese troops were swimming ashore from different directions around the island to attack us unexpectedly. The Vietnamese troops took prisoner all the military officers of Battalion 310 and sent them to Koh Tral Island. The Vietnamese troops also seized our patrol vessels and the military officers and medical staff from Kampong Som who had come to intervene"]; **D114/194** Sorn Sot WRI, A73 ["[Battalion 310 was] Ta Muth's unit [...] The battle took place in Koh Poulo Wai when the Vietnamese troops went to fight against Ta Muth's army. That did not happen at Koh Tral Island. When the Vietnamese troops arrested them, they sent them to Koh Tral Island. After being sent to Koh Tral Island, they were sent back via Kep and were all sent to my place to cultivate rice. They were no longer trusted. They were perceived to have been indoctrinated by Vietnamese troops after they had been detained. They did not allow them to be in the army again"]; **D114/186** Sath Chak WRI, A111, 113, 119-121 ["Vietnamese forces attacked Poulo Wai Island because they said that the island belonged to their country [...] It is true that the Vietnamese captured people from my unit [Battalion 310] I know when they were sent back. Those who were sent back returned to my unit. However, the unit did not allow those who had been arrested to stay together. A few of them would be stationed in one unit. Others were stationed in another unit [...] After being split up, those who had been arrested were then transferred from our unit to the production unit, to work in rice fields near Kang Keng [...] it was said that those people had been to Vietnam [...] A113: Those people were transferred to do rice field work at Kang Keng, which was the name of the airport. Bad elements were taken to do rice field work over there [...] A119: After those people came back from Vietnam, they were split up. After they attended a political school [...] they were integrated into various units within the same battalion. They were not allowed to stay together. One group of them was stationed over here; another group was stationed elsewhere [...] A120: It was perhaps in 1976 [...] A121: at that time, their background was reviewed because they had been ordered to write their biography. At that time, biographies were very important. Those people were not removed all at once. They were removed one after another. Hardworking people and people with proper conduct would be allowed to stay longer"]. For further details, *see VIII.A.3.a) Division 3 Soldiers Captured and Detained in Vietnam in 1975*. Regarding the creation of Regiment 140 using forces from each of the three regiments of Division 3, *see, e.g., D2/9* Say Born WRI, A16 ["At that time when they organized the marine forces, they selected troops from the Regiments 61, 62, and 63 of the Division 164, and together with another regiment from the East Zone, which was called the Unit 140, they organized them as the Unit 140"]; **D114/95** Yoeum Sroeung WRI, A220.

701 **D114/95** Yoeum Sroeung WRI, A32-33 ["When I arrived at Kampong Som [...] Division 3 was re-designated Division 164 [...] Q: Was your regiment's numerical designation changed? A33: I was in Regiment 61 of Division 164, Battalion 2, Company 2, Platoon 2"].

702 **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897656, KH 00095537-38 [listing Comrade Long Phansy as Secretary of Battalion in Division 164]; **D114/208** Long Phansy WRI, A16-17, 27 ["I was the only person removed and sent to Stung Hav, but I had this one bodyguard belonging to me. They removed me from artillery and assigned me to take charge of an existing battalion at Stung Hav [...] A17: Battalion 612 [...] A27: I was the chief of Battalion 612 until I was arrested in January or February 1977 or 1978"].

- 703 **D114/208** Long Phansy WRI, A15-17 ["They had me run a battalion that was building a port at Stung Hav. [...] A16: They removed me from artillery and assigned me to take charge of an existing battalion at Stung Hav. Q: What was the name of the existing battalion? Or what number was it? A17: Battalion 612"].
- 704 **D114/31** Moul Chhin WRI, A31 [Describing that his Battalion commander Lan assigned his battalion to guard Koh Rong / Koh Rong Sanloem after their arrival at Kampong Som].
- 705 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13155 [Sek Hieng or Sek Phieng, Battalion 613 Deputy Secretary, arrested on 23 April 1977 and died of disease on 14 February 1978].
- 706 **D54/83** Hing Uch WRI, A13, 15-18 ["Q: Why did they transfer you from Regiment 61 to Regiment 62? A13: Initially, I was in Regiment 61, but since my commander, my battalion commander, was promoted to the Regiment 62 Commander, he took me to work with him [...] Q: What was the name of the Regiment 62 Commander? A15: His name was Brother Yeang [...] Q: Who was the commander of Regiment 62 before Yeang? A16: His name was Brother Son [...] A17: When Yeang came to replace Son, Sari was still deputy commander. Q: Do you recognize a cadre named Meanh? A18: Yes, I heard about the cadre named Meanh. I am not quite sure, but I assume he could have been the regiment commander, because in the Lon Nol regime I heard his name, and I suspect he held the position of Regiment 62 Commander before Ta Son. They called him Ta Meanh 62"].
- 707 **D54/9** Min Phon WRI, A5 ["The commander of my battalion was Vanni and his deputy chief was Pheng. I was in an 82 mm mortar unit"].
- 708 **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655, KH 00095536-37 [identifying Comrade Iek Manh as Secretary of Regiment in Division 164]; **D114/132** Mao Ran WRI, A30 ["Q: Who was the commander of Regiment 21? A30: Ta Meanh"]; **D54/20** Sam Saom alias Sam Ket WRI, A7 ["The first Regiment 21 commander was Ta Meanh – but I did not know who replaced him"]; **D114/285** Prum Sarat (Bun Sarath) WRI, A18 ["Regiment 15 was under Commander Meng"]; **D2/8** Say Born WRI, A45 ["Meanh was the commissar of the Regiment 21 or 62 [...] The commissars were not changed before and after the fall of Phnom Penh"]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974090, KH 00926536 ["Regiment 13, which became Regiment 21 later. [...] Q: Who was in charge of Regiment 13? A: Ta Manh"]; **D54/111** Sam Phin WRI, A7 ["Manh was the commander of Regiment 62"]; **D114/178** Oem Sokhan WRI, A35 ["The commander of Regiment 62 was Ta Mienh"]; **D114/89** Seng Sin WRI, A15 ["In Regiment 62, Meanh was the Commander"]; **D114/215** Meas Im WRI, A6, 66 ["Q: According to our documents, there was only one person named Mienh in Division 164, whose full name was Iek Mienh, and he was the chief of Regiment 62 under Division 164. Are we talking about the name of the same person? A: It is the same person [...] A66: Before, [Mienh] received orders directly from Meas Muth"]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742597 ["The 62D regiment operated near Sre Khlong. ((Meanh)) (deceased) was the commander of the 62D regiment"]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387279, KH 01496679 ["Ta ((Meanh)) (deceased) was the 62D regiment commander"]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969930, KH 00926307 ["Q: What's about Regiment 62? A: It was Meanh"]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968420, KH 00926644 ["Ta Meahk was transferred out from Regiment 62, and after Ta Meakh's transfer, Ta Yang came. Q: Ta Yang. Where there only two chairmen of that regiment? A: Yes"].
- 709 **D54/83** Hing Uch WRI, A15-18 ["Q: What was the name of the Regiment 62 Commander? A15: His name was Brother Yeang [...] Q: Who was the commander of Regiment 62 before Yeang? A16: His name was Brother Son [...] A17: When Yeang came to replace Son, Sari was still deputy commander [...] A18: I suspect he [Meanh] held the position of Regiment 62 Commander before Ta Son. They called him Ta Meanh 62"]; **D114/89** Seng Sin WRI, A15 ["In Regiment 62, Meanh was the Commander, and Son was the Deputy Commander"].
- 710 **D54/20** Sam Saom alias Sam Ket WRI, A8-9 ["It was a battalion of Regiment 21 [...] Meanh was sent for education in 1977; but I remember that he had been imprisoned at Tuek Sap Prison [...] Q: How did you know that Ta Meanh was sent to Tuek Sap Prison? A9: In 1981 or 1982, I learned this information from a person named Svay Sam An, a guard at Tuek Sap Prison. San-An told me that Ta Meanh had been imprisoned there. I asked Sam-An what he knew about Ta Meanh. I did not ask him where Tuek Sap Prison was located, nor do I know where Ta Meanh was killed"]; **D114/113** Koem Men WRI, A92 ["Q: Was Meanh transferred elsewhere? A92: In 1976, he was. Yang replaced him. He was transferred to Kampong Som"]; **D54/20** Sam Saom alias Sam Ket WRI, A7 ["The first Regiment 21 commander was Ta Meanh - but I did not

- know who replaced him”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968420, KH 00926644 [“Ta Meahk was transferred out from Regiment 62, and after Ta Meahk’s transfer, Ta Yang came”].
- 711 **D54/83** Hing Uch WRI, A15-18 [“Q: What was the name of the Regiment 62 Commander? A15: His name was Brother Yeang [...] Q: Who was the commander of Regiment 62 before Yeang? A16: His name was Brother Son [...] A17: When Yeang came to replace Son, Sari was still deputy commander [...] A18: I suspect he [Meanh] held the position of Regiment 62 Commander before Ta Son. They called Ta Meanh 62”]; **D114/126** Ou Kim alias Ret WRI, A13 [“Q: Who was the commander on Koh Tang Island? A13: I am not sure. I just know that Ta Yeang, the commander of Regiment 62, and his deputy Saroeun were in charge on the island”]; **D114/113** Koem Men WRI, A90 [“After Brother Meanh left, Yang took his position. He was the one who issued the orders”]; **D54/23** Pak Sok WRI, A2 [“Regiment 62 was commandeered by Ta Yeang”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968420, KH 00926644 [“Ta Meahk was transferred out from Regiment 62, and after Ta Meahk’s transfer, Ta Yang came”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968388-89, KH 00926615-16 [“Q: Was Yieng the chairman of Regiment 21? A: Yes, he was the chairman [...] Q: How about the commander? [...] A: Later on, Ta Ban rose to the position for a certain period, then he transferred to the East, thus leaving Ta Yieng alone. He was eventually alone at the regiment”].
- 712 **D1.3.28.40** S-21 Execution Log, 9 Dec 1977, EN 00873167, KH 00009083 [identifying No.17 as San Seab alias Sam as Deputy Secretary of Regiment 62, Division 164, entered S-21 in April 1977 (and was executed on 9 September 1977)]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 8176; **D9.3** OCIJ List of S-21 Prisoners from Division 164, EN 00679643 [identifying No. 40 as Sann Seab alias Sam, who entered S-21 in April 1977, and was executed on 19 September 1977].
- 713 See para. 218. See also **D54/78** Nop Hal WRI, A8-9, 14 [“I went to live in Battalion 624 under Regiment 62 [...] At that time I did not know clearly whether Battalion 621 or 623 was sent to carry out the capture [...] Q: Am I correct to say that when you talked about Battalions 621, 622, 623 and 624, you were referring to Regiment 62 of Division 164? A9: Yes, you are correct [...] A14: I was in Battalion 622, Regiment 62. My battalion had two boats; in Battalion 621, there were two boats; in Battalion 623, there was one boat”]; **D114/113** Koem Men WRI, A44 [indicated that Battalions 622 and 623 originated from Sector 33]; **D114/283** Ek Ny WRI, A43 [“In Regiment 62, there were Battalions 621, 622 and 623”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968386, KH 00926614 [“Q: 621, 622, and 623—were there only three [...] within the Regiment? A: Another one was 624”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742597 [“The 62D Regiment [...] was divided into three battalions numbered 21, 22 and 23”]; **D54/104** Ek Ny WRI, A3; **D114/57** Som Soam alias Ket WRI, A3; **D54/20** Sam Saom alias Sam Ket WRI, A2; **D114/126** Ou Kim WRI, A7; **D114/230.1.1** OCIJ S-21 Prisoner List, EN 01222489 [identifying No. 4159 as Nop Norn, Battalion 621 Secretary].
- 714 For details, see para. 213.
- 715 **D4.1.750** Unknown US POW/MIA Statement, EN 00387279, KH 01496677 [“(Field Comment – according to other debriefings, the 21st regiment was headquartered near Ream [...] and the regimental hospital was at Chamkar Dong (Palm Plantation)”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329, KH 00742580 [“The Regiment had four subordinate Battalions numbered 410, 420, 480, and 490, and was headquartered at Ream”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387463, KH 00742598 [“The 61st Regiment was based at Kampong Som port, the 62D Regiment was based at Ream, and the 63rd Regiment was based at Tuk Sap”]; **D114/132** Mao Ran WRI, A54; **D2/15** Touch Soeuli alias Soeu Touch WRI, A12.
- 716 **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 10.02.02-10.04.03 [“my unit was on the island [Koh Tang], and I refer to my battalion. It’s the battalion 410, and there were only about 100 of us there on the island”]; **D114/287** Heang Ret (Hieng Reth) WRI, A17, 43 [“upon the arrival of the armed forces in Kampong Som, some of them were further sent to Krachak Ses and Poulo Wai islands. Regiment 21, or known as 162, was sent there [...] Q: Please tell us about which companies and battalions of Regiment 21 or 162 were sent to set up the headquarters at Krachak Ses Island. A43: There were many units but Battalion 410 was the core force. I do not know if its code name was changed. At that time, Battalion 410 and a part of Unit 450 were sent there. Battalion 410 was the key force that was sent there for a long time”]; **D54/108** Sao Sam WRI, A9, 14 [“I was in Battalion 410, Regiment 62, Division 3 [...] A14: my unit was [...] redeployed to Poulowai Chas and Poulowai Thmei Islands”]; **D54/48** Em Sun WRI, A17 [“He [Meas Muth] commanded Tak to take a B.E. motorboat carrying the soldiers of Battalion 410 to Koh Tang Island in order to alternate with my battalion”]; **D114/132** Mao Ran WRI, A32, 38 [“It was called Platoon 30, Company 10, under Battalion 410 [...] A38:

Then upper echelon pulled out one squad of 15 personnel including me to be taken to deployed on Koh Tang Island”]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387278, KH 01496677 [“Battalions under the 21st regiment were sent to Tang Island, Prins Island, and Poulo Wai Chas and Poulo Wai Thmei Islands”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387330, KH 00742581 [“Initial deployment of troops. During the meeting the 410th battalion was ordered to prepare defenses on the islands off the coast of Ream. Source was assigned to prepare small 50-man units to deploy and secure each of the islands. A larger unit would deploy to each island later to establish permanent garrisons [...] Source deployed the first 50-man unit taken from companies within the 410th battalion to Poulo Wai Chas Island [...] The detachment was commanded by Sim, the 410th Battalion political officer. Other detachments were deployed to Pring Island (Koh Pring) [...] and Tang Island (Koh Tang). The 480th Battalion deployed troops to Poulo Wai Thmei Island”].

717 **D54/78** Nop Hal WRI, A11 [“Q: How many islands were under the control of Regiment 62? A11: Koh Tang Island, Koh Pring Island, Koh Vie Island, Koh Poulo Wai Chas Island, Koh Poulo Wai Thmei Island and a number of other small islands”]; **D54/25** Pak Sok WRI, A6 [“Regiment 62 was a naval infantry attack unit of Division 164 tasked with defending the islands”]; **D114/57** Som Soam alias Ket WRI, A9 [“I have already drawn the areas under the control of Regiment 62. These areas include the islands of Koh Tang, Koh Pring and Koh Polo Wai”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 62 was *Ta Mienh*; he was in charge of Koh Polo Wai Island, Koh Pring Island, and Koh Tang”]; **D114/283** Ek Ny alias Uk WRI, A52 [“It was Regiment 62 on Koh Tang Island”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A144 [“Regiment 62 was in Koh Tang and Koh Polou Wai Chas and Koh Polou Wai Thmei”]; **D114/113** Koem Men WRI, A59 [“After they reorganized the military structure, Battalion 662 was ordered to be stationed on Koh Poulo Wai Island, Battalion 623 was ordered to be stationed on Koh Tang Island, and Battalion 480, (whose commander was Norn) was assigned to be stationed on the new Koh Poulo Wai Island”]; **D54/78.1** Nop Hal DC-Cam Statement, EN 00968388, KH 00926615 [“On defence on the islands there were four battalions. As I said, some forces of Battalion 624 grew rice. Defence forces deployed to Koh Poulo Wai Chas, Koh Poulo Wai Thmei, Koh Tang, Koh Prins, Koh Vear after being revised downwards. Earlier, there were also defence forces on Koh Rong [...] Q: How about Regiment 62? A: The several islands I counted a moment ago [...] 62”].

718 **D54/78** Nop Hal WRI, A10 [“The Regiment 62 Headquarters was on Koh Tang Island”]; **D114/57** Som Soam alias Ket WRI, A6 [“Koh Tang Island was the Duty Station of Regiment 62”]; **D54/82** Hing Uch WRI, A35 [“At Koh Poulo Wai Island, there was a battalion that cooperated with Regiment 140, and that unit had two PCF boats. The battalion reported to Regiment 62 at Koh Tang Island”]; **D114/262** Chum Chy WRI, A19; **D114/113** Koem Men WRI, A164; **D114/57.1** Som Soam alias Ket WRI, Annex: Map of Islands, EN 01077740 [witness marked in his own handwriting the area of Regiment 62 on Tang island].

719 **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968378, KH 00926606 [“Q: Was it still Regiment 15 or was it changed? A: The Regiment was dubbed 62. Later on, 480 was used for a while. After I left, it was changed from 480 to 621”].

720 **D114/113** Koem Men WRI, A59 [“After they reorganized the military structure [...] Battalion 480, (whose commander was Norn) was assigned to be stationed on the new Koh Poulo Wai Island”]; **D114/78** Svay Sameth WRI, A16-17 [“Chum and Nhorn were the Battalion commanders. I am not sure which Battalion they were in charge. I think Nhorn came from Battalion 480 and Chum from Battalion 330. When I was sent to do farming there for the first time, I worked under the control of Nhorn. And after that, Nhorn was sent to an island. Chum became his successor. After that, Chum was sent to Koh Tang Island. But when I was sent to Koh Tang, I did not see him there. Nhorn was sent to Koh Pring Island. He also disappeared [...] Q: In what year did they disappear? A17: It was in late 1976 or early 1977”]; **D54/104** Ek Ny WRI, A6 [“Nop Norn was the Commissioner of a battalion located on Poulo Wai Island. There were two Poulo Wai Islands called Poulo Wai Thmei Island and Poulo Wai Chas Island. I do not recall if Norn was stationed in Poulo Wai Chas Island or Poulo Wai Thmei Island. I recall that during that time there were two battalions: Battalion 621 and Battalion 622. Each battalion was stationed on each of the two Poulo Wai Islands”]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4159 [identifying Nop Norn as Secretary of Battalion 621, Regiment 62, Division 164 and as having been arrested on 24 May 1977]; **D114/43.7** S-21 Prisoner List (Name List of Prisoners entering in May 1977), EN 01477849 [identifying Nob Norn as Secretary of Battalion 621, Division 164 and as having been arrested on 24 May 1977]; **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897656, KH 00095537-38 [listing Nop Norn as Secretary of Battalion in Division 164]; **D1.3.28.33** S-21 Report from Mam Nai alias Chan, 25 May 1977, EN

- 00795289, KH 00088735 [identifying Nob Norn as a battalion secretary in Division 164 who entered S-21 on 24 May 1977].
- 721 **D114/76** Svay Sameth WRI, A21 ["I had worked there until 1977 before I was ordered to Koh Poulowai Island. So far as I remember that was in late 1977. I was transferred there to command Battalion 480"]; **D220/1.2.1** Ou Kim alias Ret DC-Cam Statement, EN 01375018-19, KH 01102507 ["Q: Who was the chairperson of Battalion 621? A: Ta Nan [Norn] was the chairperson [...] Ta Met was his deputy"]; **D1.3.30.6** DK General Staff Report, *Second General Staff Study Session - Table of Participant Statistics*, 23 Nov 1976, EN 00195332, KH 00008466 [listing Svay Met as Deputy Secretary of Battalion in Division 164].
- 722 **D114/113** Koem Men WRI, A59 ["After they reorganized the military structure, [...] Battalion 480, (whose commander was Norn) was assigned to be stationed on the new Koh Poulo Wai Island"]; **D114/127** Ou Kim alias Ret WRI, A13 ["Koh Poulo Wai Island was under the control of Regiment 62, Division 164. Under Regiment 62 was Battalion 621"]; **D114/126** Ou Kim alias Ret WRI, A9 ["They first sent me to work on Koh Ta Keav Island for about one year. Then they sent me to Koh Rung Island for about a week. Then they sent me to work and live on Koh Tang Island for about one year. Finally, [...] they sent me to work and be stationed on Koh Poulo Wai Island"]; **D54/104** Ek Ny WRI, A6 ["during that time there were two battalions: Battalion 621 and Battalion 622. Each battalion was stationed on each of the two Poulo Wai Islands"]; **D114/113** Koem Men WRI, A59 ["The upper level gathered our troops and re-organized the units. After they reorganized the military structure, Battalion 662 was ordered to be stationed on Koh Poulo Wai Island, Battalion 623 was ordered to be stationed on Koh Tang Island, and Battalion 480, (whose commander was Norn was assigned to be stationed on the new Koh Poulo Wai Island"]; **D114/76** Svay Sameth WRI, A21 ["I was ordered to Koh Poulo wai Island. So far as I remember that was in late 1977. I was transferred there to command Battalion 480"]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387330, KH 00742582 ["The 480th battalion deployed troops to Poulo Wai Thmei Island (Koh Poulo Wai Thmei)"]; **D59/1.1.12** Nob Hal DC-Cam Statement, EN 00968378, KH 00926606 ["Then I was at Regiment 621, following my leader to go live on Koh Poulo Wai Chas"].
- 723 **D114/127** Ou Kim alias Ret WRI, A13, 51 ["Koh Poulo Wai Island was under the control of Regiment 62, Division 164. Under Regiment 62 was Battalion 621 [...] Q: Where were the meetings held? A51: At the battalion headquarters, about one kilometre from the dock [at Koh Poulo Wai Island]"].
- 724 **See VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea. See also D114/127** Ou Kim alias Ret WRI, A7, 13 ["Most of them, nearly all of them, were tied up [...] A13: Those boats were seized by PCS boats [...] After they captured a boat and the people on board, they brought the people and the boat to the island. They handed the people on board the boat to the soldiers stationed on the island. Koh Poulo Wai Island was under the control of Regiment 62, Division 164. Under Regiment 62 was Battalion 621. Under this battalion there were four companies designated 15, 16, 17 and 18, all of which were stationed on the island. I was in Company 15. Generally, they created a group by selecting two or three soldiers from each company to prepare to receive any people and boats that had been captured"].
- 725 **D54/25** Pak Sok WRI, A6-7, 21 ["Regiment 62 under Ta Yeang operated on the islands of Koh Tang, Koh Poulo Wai Chas, and Koh Poulo Wai Thmei. [...] A7: I worked in Division 164 from 1975 to 1979 [...] A21: Ta Yeun alias Yoeun, the commander of my battalion, Battalion 622"].
- 726 **D1.3.30.6** DK General Staff Report, *Second General Staff Study Session - Table of Participant Statistics*, 23 Nov 1976, EN 00195332, KH 00008466 [listing Aok Chhay "Samnang" as Secretary of Battalion in Division 164]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 11.14.49-11.17.10 ["Yoeun was replaced by Ta Samnang, who was the commander of my battalion, Battalion 622 [...] in 1975 when I was assigned to be stationed in that island [Poulo Wai]. And I remained on that island until [mid] 1977, when I was assigned to the navy"].
- 727 **D59/1.1.12** Nob Hal DC-Cam Statement, EN 00968385-86, KH 00926613 ["Q: Who was the chairman [of] [...] 622? A: His name was Soeun [...] He died in March or April 1979"].
- 728 **D54/101** Ek Ny WRI, A9 ["This new Battalion 622 consisted of Companies 41, 42 and 43. Battalion 622 was in Regiment 62 of Division 164"]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742597 ["The 22D battalion was divided into the 41st, 42D, and 43rd companies"]; EN 00387464, KH 00742598 ["Three platoons of the 41st company were deployed to the eastern beach on the north end of the island [...] Each squad had about 12-16 personnel [...] The 42D company was based on the peninsula on the southern end of the eastern beach and the 43rd company was based at the current location of the naval battalion headquarters"].

- 729 **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968385-86, KH 00926613 [“Q: 622? [...] Q: Was [...] 22 on Koh Poulo Wai Chas? A: Yes”]; **D220/1.2.1** Ou Kim alias Ret DC-Cam Statement, EN 01375021 [Battalion 622 was probably on Koh Poulo Wai Chas]; **D54/104** Ek Ny alias Uk WRI, A6 [“I recall that during that time there were two battalions: Battalion 621 and Battalion 622. Each battalion was stationed on each of the two Poulo Wai Islands. I do not know if Nom is dead or alive”]; **D114/113** Koem Men WRI, A59 [“After they reorganized the military structure, Battalion 662 was ordered to be stationed on Koh Poulo Wai Island”]; **D54/27** Pak Sok WRI, A6 [“In 1976, my Battalion 622 was positioned on Koh Poulo Wai Island”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968385-86, KH 00926613 [“Q: 622? [...] Q: Was [Battalion 22 [...] on Koh Poulo Wai Chas? A: Yes”]; **D220/1.2.1** Ou Kim alias Ret DC-Cam Statement, EN 01375021 [Battalion 622 was probably on Koh Poulo Wai Chas].
- 730 **D59/1/1.12** Nob Hal WRI, EN 00968399, KH 00926626 [“So, on Koh Tang, the Battalion reported to the Regiment [62], and the Regiment reported to the upper level via their port”].
- 731 **D114/66** Chet Bunna WRI, A36 [“the Vietnamese attacked us and occupied the Koh Polowai Island and also recaptured the Koh Krachak Seh Island from us. Among the units that had been sent to fight at that place were Battalions 410 and 420 of the Division 3. These two Battalions were under the command of two commanders named Torn and Voeun. Torn was the commander of Battalion 420, and Voeun was the commander of Battalion 410”]; **D114/76** Svay Sameth WRI, A15 [“At that time [1976], Torn and Moeun were the Commanders of Battalion 420. Torn had continued to be the Commander of this Battalion. However Moeun was removed at a later date”].
- 732 **D114/113** Koem Men WRI, A34, 44, 69-70 [“As for Battalion 223, Samnang (alias Kauv) was the commander, Torn was his deputy, and I (Men) was also his deputy. However, they used the term ‘member’ instead of ‘deputy’ at that time [...] Q: Can you confirm whether it was Battalion 623 or 223? A44: It was Battalion 623. I am sorry [...] A69: [...] During the war, Moeun was in charge of that battalion. Then it was changed to 623. Samnang, Torn, and I served there. Q: Among Samnang, Torn and you who was the 623 Commander? A70: Samnang, alias Kauv, was the commander. Speaking of ranks, I held the lowest rank”]; **D114/283** Ek Ny WRI, A46 [“The commander of the battalion was Brother Torn. The structural arrangement was not complete. There were only two people. The deputy was Brother Men. The commander of the regiment was Uncle Meanh”]; **D114/89** Seng Sin WRI, A15 [“In Battalion 623, Torn was the Commander, and Men was the Deputy”].
- 733 **D114/113** Koem Men WRI, A21, 59, 63 [“I was a Battalion Commander and I was based on Koh Tang Island, Koh Pring Island, and Koh Ver Island. Koh Ver Island was small. Therefore, only 12 soldiers were stationed there. A company comprised of 120 soldiers was based at Koh Pring Island. Koh Pring Island was a twin island, divided by the sea. One part was small, and the other one was big. We deployed two platoons at the bigger one and one platoon at the smaller one [...] A59: Battalion 623 was ordered to be stationed on Koh Tang Island [...] A63: [In 1975 [...] [m]y troops were based on Koh Tang Island, Koh Pring Island, and Koh Pring Island”]; **D114/89** Seng Sin WRI, A20 [“I was sent there [Koh Tang Island] after 17 April”]. **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968385, KH 00926612 [“On Koh Pring, forces amounted to one battalion Q: 623? A: Yes, 623”].
- 734 **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968379, KH 00926607 [“Q: I went to Koh Tang. Initially, they organized a new unit which they called Squad 624. A: 624? Q: Yes. It consisted of Chum, who has died. The commissioner was Ta Nhan, whom I said a moment ago was the commander”], EN 00968386, KH 00926614 [“Q: 621, 622 and 623 – were there only three [...] within the Regiment? A: Another one was 624 [...] It was that [...] 624 [...] there were two forces. One was on Koh Tang, and the other grew rice in the vicinity of Kang Keng”], EN 00968387, KH 00926614 [“He [Chum] was in control in early 1978. Q: Until late 1978? A: After he was in control for a while, he rose to become deputy of the regiment. After he rose to become deputy of the regiment for a while, was transferred to fight in the East”].
- 735 Also called “Regiment 16” by some witnesses: **D114/285** Prum Sarat WRI, A20 [“Regiment 16, which was under Yan was stationed in Kang Keng”]. About the change of denomination in July-August 1975, *see, e.g.*, **D2/8** Say Born WRI, A39 [“Q: What was the previous name of the Regiment 163? A39: It was the Regiment 22”].
- 736 **D2/8** Say Born WRI, A40 [“Q: Yan was the commissar, Sras was the deputy, and Nhan was the member”]; **D54/104** Ek Ny WRI, A5 [“Ta Sros was the Commissioner of that regiment, and Yan was the Commander. Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoek, Chhan, Yan and Doem were traitors’”]; **D54/7** Dol Song WRI, A6 [“Ta Yan was the Political Chairman of Regiment 22”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A3, 20 [“The regiment commanders were Yan (deceased) and Sros [...] A20:

Let me confirm about the locations. Regiment 16, which was under Yan, was stationed in Kang Keng”]; **D54/33** Ing Chhon WRI, A9 [“Battalions 530, 540 and 550 were under a regiment whose commander was Ta Yan”]; **D114/116** Svay Saman WRI, A30 [“Q: Which unit was Mom Yan in and what was his position? A30: He had been the commander of Regiment 63 of Division 164 since the beginning. It was when the regiment was stationed in Kang Keng”]; **D114/77** Svay Sameth WRI, A30 [“Q: Did you know Mom Yan? A30: Yes, I did. He was the Commander of Regiment 63. His base was in Kang Keng Airport which was near a crossroad at Smach Daeng between an entry to the airport and the national road [...] Chorn came to replace him”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island near Ream”]; **D54/81** Hing Uch WRI, A14 [“Yan [...] was a former commander of Regiment 63”]; **D54/46** Em Sun WRI, A35 [“Sras was the Chief of Regiment 22”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974078-79, KH 00926525 [“Q: Who was the Chief of Regiment 16? A: Yan”]; **D54/112.1** Phlong Chhea DC-Cam Statement, EN 00968345, KH 00926490 [“Q: Can you recall who was the commander of the regiment? [...] A: Yan”]; **D114/16** Sok Vanna WRI, A5.

737 **D114/230.1.1** OCIJ S-21 Prisoner List, [identifying No. 4797 as Mom Chim alias Mom Yan, who entered 28 April 1977, and was executed on 13 March 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 24 (and No. 27 – duplicate); **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [identifying Mom Yan as Division 164 Member, having entered S-21 in May 1977]; **D1.3.28.45** S-21 Prisoner List (Name list of Documented Prisoners – Unit 164), 26 Aug 1977 [includes the name of Mam Chim alias Yan, Division member, whose confession was audio-taped]; **D114/116** Svay Saman WRI, A27 [“Mom Yan was in Division 164 in 1975”]; **D54/104** Ek Ny WRI, A5; **D54/102** Ek Ny WRI, A1; **D54/8** Dol Song WRI, A4-5; **D54/7** Dol Song WRI, A6; **D114/155** Sok Ren WRI, A67; **D54/81** Hing Uch WRI, A14; **D114/32** Meas Saran WRI, A26 [Yan was Division 3 Committee”]; **D114/116** Svay Saman WRI, A27-28, 30; **D114/178** Oem Sokhan WRI, A35; **D114/95** Yoem Sroeng WRI, A64, 67, 226; **D114/139** Nguon Lay alias Y WRI, A23.

738 **D54/48** EM Sun WRI, A58 [“I just heard that Nget and Sras were arrested, but I did not know where they were sent to”].

739 **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655, KH 00095536-37 [listing Comrade Sin Chorn as Secretary of Regiment in Division 164]; **D114/77** Svay Sameth WRI, A20, 30 [“The commander of Regiment 63 was Chorn. Nhanh was Chorn’s deputy [...] A30: He [Yan] was the Commander of Regiment 63 before Chorn came to replace him. I do not know what happened to him”]; **D114/18** Mak Chhoeun WRI, A6 [“the commander of that regiment was Yan. Later, in 1976, when we were in Kampong Som, Ta Yan was transferred to another place and Ta Chorn became the commander of my regiment: Regiment 63 was my regiment at that time. In 1977, Ta Chorn disappeared”]; **D114/66** Chet Bunna WRI, A12, 19 [“There were Ta Nhann and Ta Chorn who were the commanders of the Regiment 63 [...] A19: When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy”]; **D114/115** Svay Saman WRI, A14 [“The commander of Regiment 63 was Chorn. His house was near Tuek Sab”]; **D114/114** Svay Saman WRI, A19 [“Q: Who were the commanders of Division 164 and Regiment 63? A19 [...] Chorn was the regiment commander”].

740 In July 1975, Meas Muth just scolded Kim Nahn for killing people, but he was never punished, rather, he was promoted to be Regiment Commander and even trusted enough by Meas Muth to replace the Division 117 commander in Kratie in late 1978: **D54/98** Heang Ret WRI, A28, 120-122, 124 [“I remember that Ta Nhan was the commander of Regiment 63 [...] Q: According to your interview with the Documentation Center of Cambodia in English, on page 71, you said that, ‘After listening to the report, Bang Meas Muth asked Ta Nhan about the killing of people. He asked, ‘Who told you to kill those people? Who permitted you to investigate people at their houses? You deserve to be the same way by the people. Actually, the people should have poured hot water on your head. You did not have the right to monitor them. Before you killed people, did you get permission from your superior?’ Did you hear Meas Muth scolding Ta Nhan like this first-hand? A120: Yes, I heard that first-hand, because that time there was an assembly which the Division 164 leaders attended [...] A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander. Therefore, in this sense, it meant that Ta Nhan needed permission from Meas Muth [...] A122: I do not know in what circumstances the people were killed by Ta Nhan, but I remember that in that meeting Ta Nhan reported to Meas Muth that he had killed people [...] A124: [...] it took place in July 1975”].

- 741 **D114/66** Chet Bunna WRI, A19 ["When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy"]; **D114/18** Mak Chhoeun WRI, A11 ["In 1976, Ta Chorn came to replace Ta Yan, who was the commander of Regiment 63, and Ta Nhan was the deputy of Ta Chorn"]; **D114/77** Svay Sameth WRI, A20 ["The commander of Regiment 63 was Chorn. Nhanh was Chorn's deputy"].
- 742 **D114/18** Mak Chhoeun WRI, A11-12 ["In 1977, when Ta Chorn disappeared, Ta Nhan, who was his deputy, took command of the regiment [...] A12: At that time, there was only Ta Nhan. His deputy had not yet been appointed. In addition, there was no official announcement that Ta Nhan had replaced the previous commander; but the daily work of the regiment was overseen by Ta Nhan"]; **D114/66** Chet Bunna WRI, A12, 19 ["There were Ta Nhann and Ta Chorn who were the commanders of the Regiment 63 [...] A19: [...] Later on, Chorn was arrested and Nhann took over his position"]; **D114/86** Chet Bunna WRI, A26 ["Ta Nhan was the Commander of Regiment 63"]; **D54/23** Pak Sok WRI, A2 ["Regiment 63 was commanded by Ta Nhan"]; **D54/98** Heang Ret (Hieng Reth) WRI, A28, 121 ["I remember that Ta Nhan was the commander of Regiment 63 [...] A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander"]; **D114/17.1** Ma Chhoeun DC-Cam Statement, EN 01313341, KH 01033986 ["Q: Who was in charge of Regiment 63? A: Ta Nhanh was"]; **D114/103** Liet Lan (Liet Lorn) WRI, A37, 111 ["Q: Who commanded the land army? A37: Nhan. He is now deceased [...] Q: Do you know the names of those who belonged to the Special Command that Meas Muth sent to the battlefield? A111: Lan (deceased) and Nhan (in charge of Division 3 Logistics)"]; **D114/139** Nguon Lay WRI, A14, 17-20 ["I was also a personal bodyguard of Nhan [...] A17: [...] Ta Nhan was sent to Kampong Saom [...] A18: [...] I went with him. I was still his personal bodyguard. [...] A19: [...] it was probably at the end of 1975 or at the start of 1976 when I went [to Kampong Saom]. [...] A20: [...] I was in Division 164, Regiment 63"]; **D114/202** Or Saran WRI, A14, 38 ["Q: What was the name of the commander of Regiment 63? A14: His name was Nhan [...] A38: Comrade Veth and Nhan were the commanders of the regiment. Nhan was only ever stationed on land"]; **D114/16** Sok Vanna A1, 7, 37 ["[Ta Nhan] was promoted from company chairman to battalion chairman to regiment chairman, and then to be Ta Mut's deputy [...] A37: I attended regimental level meetings chaired by Ta Nhan many times. Only persons with good biographies were called to attend those meetings"].
- 743 **D114/66** Chet Bunna WRI, A19 ["Later on, Chorn was arrested and Nhann took over his position"]; **D114/18** Mak Chhoeun WRI, A6 ["I did not remember the number of the regiment, but the commander of that regiment was Yan. Later, in 1976, when we were in Kampong Som, Ta Yan was transferred to another place and Ta Chorn became the commander of my regiment: Regiment 63 was my regiment at that time. In 1977, Ta Chorn disappeared"].
- 744 *See para. 864. See also* **D114/52** Cheang Chuo WRI, A35, 40-42 ["Ta Nhan came to take charge of Division 117 [...] A40: [...] at that time, Meas Muth came to organise Division 117 and assigned Ta Nhan commander of Division 117 [...] A41: I learned that through the new commander, Ta Nhan. Ta Nhan said, 'Brother Meas Muth has come to Kratie to reorganise Division 117 [...] A42: [...] Ta Nhan went to command Division 117 about a month before the arrival of the Vietnamese soldiers in approximately late November or early December 1978"]; **D54/110** Lon Seng WRI, A5-6; **D114/193** Sao Sarun WRI, A64; **D4.1.444** Sao Sarun WRI, EN 00278696; **D114/192** Chen Phat WRI, A42; **D114/102** Em Sarin WRI, A22; **D54/62** Moeng Vet WRI, A30; **D54/63** Moeng Vet WRI, A1; **D114/149** Touch Chhum WRI, A13; **D54/29** Liet Lan (Nam Lan) WRI, A15; **D114/18** Mak Chhoeun WRI, A16-17.
- 745 **D114/116** Svay Saman WRI, A30 ["[Mom Yan] had been the commander of Regiment 63 of Division 164 since the beginning. It was when the regiment was stationed in Kang Keng"]; **D114/77** Svay Sameth WRI, A30 ["[Mom Yan] was the Commander of Regiment 63. His base was in Kang Keng Airport which was near a crossroad at Smach Daeng between an entry to the airport and the national road"]; **D54/8** Dol Song WRI, A22-23 ["My Regiment 22 was stationed at Kang Keng Airport. Our workplaces were around that airport. Later, in around early 1976, I left Regiment 22 [...] A23: [...] Kang Keng Airport was the base of Regiment 22"]; **D2/9** Say Born WRI, A3 ["Q: where was the command base of the Regiment 22? A3: The command base of the Regiment was in Thmar Thom village adjacent to the Airfield"]; **D114/139** Nguon Lay alias Y WRI, A20 ["I was in Division 164, Regiment 63. I stayed at Kang Keng Airport. I stayed there for three months"]; **D114/18** Mak Chhoeun WRI, A26-28 ["The headquarters of Regiment 63 was at Kang Keng Airport [...] A27: The headquarters of Regiment 63 was right there at Kang Keng Airport. But there were subordinate units, such as the logistics unit of Regiment 63, located at Tuek Sab [...] A28: The house of the

commander of Regiment 63 was inside Kang Keng Airport. At that time, Kang Keng airport was not in operation, so the commander stayed inside a building in the airport compound”].

746 **D114/115** Svay Saman WRI, A8, 10, 14, 30 [“Tuck Sab was under Regiment 63, Division 164 [...] A10: [...] I stayed in Kang Keng and travelled to and from Tuek Sab every single day. At the end of 1975, I relocated to the Tuek Sab area near the bridge. All the warehouses were relocated to Tuek Sab too [...] A14: The commander of Regiment 63 was Chorn. His house was near Tuek Sab [...] Q: Where was the regiment headquarters located after moving to Tuek Sab? A30: [...] The headquarters was situated at the concrete building at the Tuek Sab dock”]; **D54/41** Or Saran WRI, A21, 28 [“Q: Where was Regiment 63 headquarters located? A21: It was located in Tuek Sap [...] A28: I did not know when the Regiment 63 headquarters was moved from Tuek Sap”]; **D114/156** Soeng Noch WRI, A249 [“Q: Do you know where Regiment 63’s headquarters was? A249: At Tuek Sap”]; **D2/6** Nhoung Chrong WRI, A38, 43 [“The Regiment 22 stationed in Teuk Sap. I was in Regiment 22 but I stayed in Smach Deng [...] A43: [...] As for Regiment 22, it had its base in Teuk Sap”]; **D54/111** Sam Phin WRI, A16 [“To my knowledge, Toek Sap was under Regiment 63. Toek Sap was located near Prey Nob”]; **D114/16** Sok Vanna WRI, A5 [“Yan was the commander of Regiment 33 with its headquarters at Tuek Sab”]; **D114/66** Chet Bunna WRI, A19 [“When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy. That Regiment 63 based in a place near the intersection of National Road 4 and the road to Ream which was also close to the Kang Keng Airfield”]; **D114/77** Svay Sameth WRI, A20 [“Q: Of the regiments under Division 164, which one had jurisdiction over Teuk Sab Sector? A20: Regiment 63 did”]; **D114/202** Or Saran WRI, A17 [“Q: Where was Regiment 63 situated when your unit was stationed at Kang Keng Airport? A17: I heard that it was situated at Toek Sab. I am not sure about that because no one was allowed to approach the headquarters. If anyone entered there, he or she would be arrested”].

747 *See* para. 488. *See also* **D114/66** Chet Bunna WRI, A11-12, 19 [Regiment 63 Commander Chorn and Deputy Nhann were in charge of Toek Sap prison]; **D114/156** Soeng Noch WRI, A137-138, 146, 249 [Regiment 63 has a security office and headquarters located in Toek Sap]; **D54/41** Ou Sarann (Or Saran) WRI, A21 [Regiment 63 headquarters located in Toek Sap].

748 *See* **VIII.F. Ream Area Worksites.**

749 **D114/57** Som Soam alias Ket WRI, A9 [“I have already drawn the areas under the control of Regiment 63. These areas include the islands of Koh Seh, Koh Thmey and Prek Chak, located to the East of Ream”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A144 [“Regiment 61 was in Koh Rung Thom. Regiment 62 was in Koh Tang and Koh Polou Wai Chas and Koh Polou Wai Thmei. Regiment 63 was in Koh Thmei and Koh Seh”]; **D54/25** Pak Sok WRI, A6 [“Regiment 63 under Ta Nhan operated on Koh Seh, Koh Antay and Koh Kyang. They did not have warships, but had motoboats for transportation purposes”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island, near Ream in a coconut plantation in Kang Keng”].

750 **D2/8** Say Born WRI, A51 [“Now I remember the battalions under the Regiment 22 were as follow: They were Battalions 520, 530, 540, and 550”]; **D54/7** Dol Song WRI, A7 [“I do not remember the first digit whether it was a 1 or a 5, but I remember vividly the last two digits. They were 20, 30, 40 and 50 in Regiment 22”]; **D114/48** Sok Ngon WRI, A6 [“Q: [...] what was the designation of your unit? A6: It was probably Battalion 520”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387329, KH 00742581; **D54/33** Ing Chhon WRI, A9 [Battalions 530, 540 and 550 were under a regiment commander was Ta Yan]; **D114/156** Soeng Noch WRI, A64, 246 [mentions Battalion 540], A17, 22, 248 [“Q: In what battalion was your children’s unit? A17: It was in Battalion 580. [...] A22: Their ages ranged from 12 or 13 to 20 years old [...] Q: Of what area did Battalion 580 take control? A248: The coconut plantation”]; **D2/6** Nhoung Chrong WRI, A9, 11; **D2/9** Say Born WRI, A37; **D54/30** Soem Ny WRI, A8, 11; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974078, KH 00926525 [Battalion 530, Regiment 16, belonged to Division 3]. Only Mak Chhoeun (Tep Chhoeun) claimed that Battalion 550 was in reality called 560 (or that its name changed from 550 to 560); **D114/18** Mak Chhoeun WRI, A29, 32-33 [“Battalion 540 was under the control of Sary [...] A32: [...] Battalion 520 was under the control of Han. Battalion 530 was under the control of Vet. Battalion 540 was under the control of Sary and Battalion 560 was under my control. There was no Battalion 550. [...] A33: Han was the commander of Battalion 520”].

751 This is based on the names of the leaders of those battalions which for the most part remained the same. *See also* **D114/283** Ek Ny WRI, A52 [“In Regiment 63, there were Battalions 31, 32, 33 (631, 632, 633”]; **D54/104** Ek Ny WRI, A3 [“Vet was the Battalion 631 Chairman”]; **D54/41** Or Saran (Ou Sarann) WRI, A16 [“I was in Company 3, Battalion 631 of Regiment 63”].

- 752 See, e.g., Mak Chhoeun always used the designation Battalion 560 (or 550) in all his written records of interview, although he was the commander of the new Battalion 633: **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.24.15-15.27.28 ["Vet was the head of Battalion 530 and as for 540, it was Sary, and I was in charge of 560"]; **D114/20** Mak Chhoeun WRI, A34-35 ["Yes, I knew Oeng Vet. I remember he was Battalion 530 Secretary. Q: In this document, he was written as Battalion 631. Why do you say Vet was the commander of Battalion 530? A35: I am not sure about the number in this document; I do not know why the number of the Battalion is 631. As far as I remember, Vet was actually Battalion 530 Secretary. I am not sure about the change of the numerical designation"]; **D114/18** Mak Chhoeun WRI, A32 ["As I remember, Battalion 520 was under the control of Han. Battalion 530 was under the control of Vet. Battalion 40 was under the control of Sary and Battalion 560 was under my control. There was no Battalion 550"].
- 753 **D114/156** Soeng Noch WRI, A17, 22, 63-64, 248 ["Q: In what battalion was your children's unit? A17: It was in Battalion 580 [...] A22: Their ages ranged from 12 or 13 to 20 years old [...] A63: Another battalion was located near that area [coconut plantation stretching from Ong Village to Kang Keng Airport [...] A64: I heard that it was called Battalion 540 [...] Q: Of what area did Battalion 580 take control? A248: The coconut plantation"]; **D54/33** Ing Chhon WRI, A8-9 ["My company was deployed at Thma Thurn Village, about 500 metres south of Kang Keng Airport along the road leading to the Ream port [...] A9: [...] Company 24 was stationed in Lor Edth Village, and my Company 26 was located in Thma Thurn Village. Company 28 was in Ou Mlu Village. Our battalion command was also located in Ou Mlu Village. The three companies above were under Battalion 540"].
- 754 **D114/18** Mak Chhoeun WRI, A32-33 ["As I remember, Battalion 520 was under the control of Han [...] A33: Han was the commander of Battalion 520. As far as I remember, this Battalion was sent to join the Navy, and Han remained the commander. As far as I knew, Han was in the navy, in a so-called chase ship unit"]; **D114/20** Mak Chhoeun WRI, A41 ["There was someone also named Chhoeun, and he was in the same place with Sari. Chhoeung was a commander in the battalion of Han that we talked about in the beginning. Han's unit was split in two; some were designated to the navy and some to the islands"].
- 755 **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [identifying Korng Kien alias Oeng Vet, as Secretary of Battalion 631, and as having entered S-21 in April 1977]; **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 2368 as Kung Kien alias Eung or Oeng Vet, Battalion 631 Secretary who entered S-21 in April 1977, and was executed on 13 March 1978]; **D54/27.2** List of Division 164 Persons arrested, EN 01185467, 471, KH 00955558-60 [listing Korng Kien alias Oeng Vet as Secretary of Battalion 631, Division 164 and Mon as Deputy Secretary of Battalion 631]; **D1.3.18.4** Kung Kien alias Ing Vet S-21 Confession, EN 00822048, KH 00017305, FR 00825431; **D114/20.3** Kung Kien alias Ing Vet S-21 Confession, EN 01507936, KH 01034043 [Vet was described as the commander of Battalion 530]; **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.24.15-15.27.28 ["Vet was the head of Battalion 530"]; **D114/18** Mak Chhoeun WRI, A32 ["Battalion 530 was under the control of Vet"]; **D114/139** Nguon Lay alias Y WRI, A36, 65-66, 74, 77 ["I only know about Koh Seh Island. It was in Battalion 31. Veth was the one who stayed there, but he has died already [...] A65: [Veth] [...] was arrested [...] A66: [...] I heard people say that he had been arrested when he went to a seminar. When he went to the mainland in order to take part to in the seminar, I transported him and his fellows there [...] Q: Regarding the senior leaders, like Veth, who were called for the seminars, did they return? A74: Only this man never returned [...] Q: Do you know if he was arrested at that time? [...] A77: Well, I heard about it when those who had attended the seminar returned home"]; **D4.1.764** Kaing Guek Eav alias Duch WRI, EN 00398164, KH 00398157 ["Another example is Kung Kieng alias Ing Vet's, confession (Secretary of Battalion 631, 63rd Regiment, 164th Division)"]; **D54/104** Ek Ny WRI, A3 ["Vet was the Battalion 631 Chairman [...] Vet was in the army, stationed in Kang Keng Airport, but he was arrested [...] I believe that he is dead because Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous"]; **D114/202** Ou Sarann WRI, A38 ["Q: when you were stationed on the island, who was the commander of the battalion? A38: Comrade Veth and Nhan were the commanders of the regiment. Nhan was only ever stationed on land; Veth was on the [Koh Seh] island"]; **D114/20** Mak Chhoeun WRI, A34, 36 ["Yes, I knew Oeng Vet. I remember he was Battalion 530 Secretary [...] A36: I knew about his [Vet] disappearance, but I did not know the date. At the time, I thought he had been transferred to a different place"]; **D54/7** Dol Song WRI, A6 ["Vet was at that time rose to be the Commander of Battalion 104"]; **D54/8** Dol Song WRI, A4 ["those arrested were: [...] Vet, Commander of my battalion"]; **D114/85** Chet Bunna WRI, A18 [explains that everyone was aware of the arrest of Kung Kien alias Ing Vet as he was prominent figure]; **D54/112.1** Phlong Chhea DC-Cam Statement, EN 00968344-45, KH 00926490: ["Q: So you were in Regiment 22 of Division 3. Which battalion? A:

Battalion 330 [...] Vet was the commander of the battalion”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974078, KH 00926525 [Q: “Who was Chief of Battalion 530?” A: “Vet”];

756 **D54/27.2** List of Division 164 Persons Arrested, EN 01185467-471, KH 00955558-60 [identifying Korng Kien alias Oeng Vet as Secretary of Battalion 631, Division 164 and Mon as Deputy Secretary of Battalion 631]. *See also* **D1.3.18.4** Kung Kien alias Eung Vet S-21 Confession, 26 May 1977, EN 00822099 [identifying Mon as Under-secretary of Battalion 631].

757 **D54/8** Dol Song WRI, A22-23; **D2/9** Say Born WRI, A3; **D54/112.1**, **D59/1/1.10a** Phlong Chhea DC-Cam Statement, EN 00968346, KH 00926491-92.

758 **D114/18** Mak Chhoeun WRI, A34-36 [“The headquarters of Battalion 530 of Vet was at Tuek Sab near the logistics site of Regiment 63 [...] A35: [...] The headquarters of Battalion 530 was at the Lon Nol military base [...] A36: [...] the soldiers in Battalion 530 were sent out to work at other places [...] Only the headquarters was at Tuek Sap [...] I heard that in 1977 Battalion 530 was probably dissolved. At that time, Vet had disappeared and the soldiers in his unit were incorporated into the Navy”]; **D114/19** Mak Chhoeun WRI, A29 [Marking a map (**D114/19.2**) with “The headquarters of Battalion 530 of Regiment 63 at Tuek Sab”].

759 **D1.3.8.3** CPK Military Meeting Minutes, 3 Aug 1976, EN 00234012, KH 00021496-97 [“Human force: One regiment (three battalions) are placed on Koh Wai, Koh Tang and Koh Rong, one battalion on Koh Seh and one battalion on another island close to Koh Seh”]; **D114/139** Nguon Lay alias Y WRI, A36 [“I only know about Koh Seh Island. It was in Battalion 31. Veth was the one who stayed there”]; **D54/41** Ou Sarann (Or Saran) WRI, A19, 20, 27 [“My battalion was stationed at a coconut plantation in Cheng Heng and near Kang Keng airport [...] A20: My battalion was removed from the coconut plantation and Kang Keng airport in late 1975 and sent to Seh Island [...] A27: [...] In early 1976 [...] my battalion was sent to Koh Seh Island”]; **D114/202** Ou Sarann WRI, A16, 37-38 [“The unit was first sent to Kang Keng Airport in 1975 and then to Koh Ses Island for an entire year [...] A37: In early 1976, I guarded the island [...] The entire Battalion 631 was transferred there [...] A38: Veth was on the [Koh Seh] island”]; **D114/156** Soeng Noch WRI, A56, 63-64 [“Q: had Division 164 taken power yet? A56: Yes [...] A63: Another battalion was located near that area [coconut plantation] [...] That battalion moved from place to place. Then, it was sent to an island [...] A64: I heard it was called Battalion 540”].

760 **D54/41** Ou Sarann (Or Srana) WRI, A28 [“In early 1977, I was sent from Koh Seh Island to Smach Daeng, where I, along with more than 100 soldiers from different units, were sent to the East zone under Division 180”]; **D114/202** Ou Sarann WRI, A43 [“When leaving Kampong Som, Koh Ses Island, some forces were selected to go to the East Zone. They were included in a new unit called Division 280”].

761 **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897656, KH 00095537-38 [listing Nhet Sary, No. 145, as Secretary of Battalion in Division 164]; **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.24.15-15.27.28 [“Vet was the head of Battalion 530 and as for 540, it was Sary”]; **D114/18** Mak Chhoeun WRI, A29 [“Battalion 540 was under the control of Sary, and his headquarters was outside the compound of Kang Keng airport”]; **D54/33** Ing Chhon WRI, A9 [“Company 24 was stationed in Lor Edth Village, and my Company 26 was located in Thma Thurn Village. Company 28 was in Ou Mlu Village. Our battalion command was also located in Ou Mlu Village. The three companies above were under Battalion 540, whose commander was Sari. He is dead. Battalions 530, 540 and 550 were under a regiment whose commander was Ta Yan, but I do not remember the number of this regiment” (*emphasis added*)]; **D114/285** Prum Sarat (Bun Sarath) WRI, A3 [“The battalion commanders were Sary and Uoch”]; **D114/20** Mak Chhoeun WRI, A41 [“There was someone also named Chhoeun, and he was in the same place with Sari. Chhoeung was a commander in the battalion of Han that we talked about in the beginning. Han’s unit was split in two; some were designated to the navy and some to the islands. So, I do not know what happened to him”]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969929, KH 00926306 [“Q: Who was in charge of Battalion 540? A: “Sary was”].

762 **D54/33** Ing Chhon WRI, A8-9 [“When I arrived at Kang Keng Airport, I saw evacuees walking along the road out of Kampong Som. My company was deployed at Thma Thum Village, about 500 metres south of Kang Keng Airport along the road leading to the Ream port [...] A9: Company 24 was stationed in Lor Edth Village, and my Company 26 was located in Thma Thum Village. Company 28 was in Ou Mlu Village. Our battalion command was also located in Ou Mlu Village. The three companies above were under Battalion 540”]; **D114/156** Soeng Noch WRI, A63-64 [“Another battalion was located near that area [coconut plantation stretching from Ong Village to Kang Keng Airport] [...] A64: I heard that it was called Battalion 540”]; **D114/19** Mak Chhoeun WRI, A29 [“The headquarters of Battalion 540, which was under the

command of Sari, of Regiment 63, which was close to Kang Keng, on the other side of National Road 4”]; **D114/18** Mak Chhoeun WRI, A29 [“Battalion 540 was under the control of Sari, and his headquarters was outside the compound of Kang Keng airport”]; **D54/41** Or Saran WRI, A20 [“My battalion [631] was removed from the coconut plantation and Kang Keng airport in late 1975 and sent to Seh Island while another battalion from the same regiment was assigned to the coconut plantation and the airport. I am not sure whether Battalion 632 or Battalion 633 was assigned to replace my battalion at Kang Keng then”].

763 **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897656, KH 00095537-38 [Tep Chhoeun, No.146 as Secretary of Battalion in Division 164]; **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.24.15-15.27.28 [“Vet was the head of Battalion 530 and as for 540, it was Sari, and I was in charge of 560”]; **D114/20** Mak Chhoeun WRI, A26 [“I remember I attended those studies. I remember that the course was held in Olympic stadium in Phnom Penh. I remember that I was sent to participate in such courses twice. The first time, I did not make it because I had an accident [...] Number 123 was Dim, was division deputy; and number 146 was me. During the Khmer Rouge regime, I used my grandfather’s name, Tep, as my family name. But today, I use my father’s name, Mak, as my family name instead”]; **D114/32** Meas Saran WRI, A90 [“Her husband’s name was Chhoeun and he was a battalion commander”]; **D114/18** Mak Chhoeun WRI, A32 [“As I remember, Battalion 520 was under the control of Han. Battalion 530 was under the control of Vet. Battalion 40 was under the control of Sari and Battalion 560 was under my control. There was no Battalion 550”]; **D114/16** Sok Vanna WRI, A7 [“As I told you, Chhoeun, who was blind in one eye, was born in Prey Veng Village. He was my battalion commander, and we were stationed on Koh Thmei Island”]; **D114/17.1** Ma Chhoeun DC-Cam Statement, EN 01313341, KH 01033986 [“Q: Were you in charge of the battalion? A: Yes, I was. Q: What battalion was it? A: It was Battalion 550 [*Handwritten note: Battalion 560*]”].

764 **D54/31** Soem Ny WRI, A3 [“Later on Battalion 550 was assigned as the following: a company was ordered to stay guard at the port, another company was deployed to Koh Tang and Koh Poulo Wai islands, and the other company was sent to Koh Rong Knong and Koh Rong Krau islands”]; **D2/6** Nhoung Chrong WRI, A13 [“Q: Battalion 550 stayed in Kang Keng Airfield for about 15 days before it was sent on to Koh Tang Island [...] A: Yes, correct”]; **D54/12** Pres Mean WRI, A6 [“I do not remember the number of my battalion, but it was in Regiment 22. After the unit was organised, I was deployed to Koh Tang Island”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387463, KH 00742598 [“Mr. Sok went with the 22D battalion to Ream. They stayed in Ream for about five days, after which the entire battalion was then deployed to Tang Island on three boats”].

765 **D114/19** Mak Chhoeun WRI, A29 [“The two headquarters of my battalion [506], one of which was on Koh Thmei Island and the other of which was on Koh Seh Island”]; **D114/18** Mak Chhoeun WRI, A6, 24 [“Regiment 63 was my regiment [...] A24: I was on Koh Thmei Island from 1975 [...] I was on the island until the Khmer Rouge regime nearly collapsed”]; **D59/1/1.7a** Ma Chhoeun (Mak Chhoeun) DC-Cam Statement, EN 00969930, KH 00926307 [“Q: Which islands was [Regiment] 63 stationed on? A: I only knew my unit. We [were] stationed on Koh Seh and Koh Thmey”] EN 00969939, KH 00926317. [“Q: How long did you remain on Koh Seh or Koh Thmey? A: I remained there until the end of the war in 1979”]; **D54/115.1** Neak Yoeun DC-Cam Statement (Navy Soldier, Division 164), EN 01088459, KH 01007858 [“Chhoeun was in charge of the island, like Koh Thmei Island”].

766 **D1.3.30.2** Report from Mut (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976, EN 00231824, KH 00021446; **D2/6** Nhoung Chrong WRI, A22 [“They had me defend the Island against the Vietnamese force and do rice farming there”]; **D114/104** Iem Phong WRI, A65 [“They ordered us to defend Koh Seh Island because they were afraid that the Yuon would come there”]; **D114/139** Nguon Lay alias Y WRI, A38 [“At Koh Seh and Koh Thmei Islands. There were two ports. My main responsibility was to catch fish. If we caught a lot of fish, we distributed them to other units”]; **D114/109** Prum Sambath WRI, A30 [“They had me to defend Koh Seh Island against the Vietnamese who were on Koh Trol Island”]; **D59/1/1.7a** Ma Chhoeun (Mak Chhoeun) DC-Cam Statement, EN 00969934, KH 00926311-12 [“Q: While guarding the island, did you encounter anything? A: We clashed and fought with the Yuon. Q: Fight with the Yuon? A: Yes! We could see each other between Koh Tral and Koh Seh. When they walked we also walked since we could see one another. Q: When you said you fought with the Yuon, did you mean the Yuon on Koh Tral? A: They were on Koh Tral and we were on Koh Seh”].

767 **D54/47** Em Sun WRI, A18-19 [“In August 1975, a new division, Division 164, was established [...] A19: [...] Division 3 had been changed to Division 164, and that a new naval brigade, Brigade 140, had also been established”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“140th Naval

Regiment. In August 1975, the 164th (3rd) division created the 140th naval regiment”; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968419, KH 00926644 [“sometime after the liberation, they established a regiment for the Navy, called Regiment 140”]; **D2/9** Say Born WRI, A16; **D54/36** Brak Sokha WRI, A36; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387328, KH 00742578. Some witnesses erroneously remembered this regiment to have been created in 1976 and not in 1975: **D114/95** Yoem Sroeng WRI, A38, A51-52 [“In 1976, they created Regiment 140 to be a navy unit, and Regiments 61, 62 and 63 were sent to the islands [...] A51: [...] when Regiment 140 was created, soldiers from the East came to join the navy [...] A52: When we were at Regiment 140, they sent about 500 to 600 soldiers from the East Zone to join the navy”]; **D114/65** Chet Bunna WRI, A16 [“At the end of the political study, around January or February 1976, Meas Muth announced the forming of the Navy Forces called Regiment 140”].

D2/16 Touch Soeuli alias Soeu Touch WRI, A17 [“The Division 164 was in turmoil, especially what happened in Regiment 140 which composed of four battalions included Battalions 141, 142, 143 and 144. The troops in these four battalions were mixed with troops in Kampong Som and those sent from Phnom Penh”]. Regiment 140 was sometimes called Unit 140: **D2/9** Say Born WRI, A16 [“At that time when they organized the marine forces, they selected troops from the Regiments 61, 62, and 63 of the Division 164, and together with another regiment from the East Zone, which was called the Unit 140, they organized them as the Unit 140”]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A63 [“Q: In Regiment 140, where were the soldiers from? A63: There were different forces mixed together. Those forces were from the East Zone”]; **D114/285** Bun Sarath (Prum Sarat) WRI, A51 [“Division 164 included Navy Regiment 140. They were soldiers and cadres from the three regiments of Division 3. According to what I remember, they mobilized over 700 soldiers”]; **D54/36** Brak Sokha WRI, A36; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387328, KH 00742578.

D54/8 Dol Song WRI, A15 [“Regiment 140 was appointed to protect the islands and water borders”]; **D114/95** Yoem Sroeng WRI, A40 [“We defended the sea because we were afraid of secret agents coming to spy”]; **D54/79** Nop Hal WRI, A3 [“All the battleships were under the control of Regiment 140”]; **D54/113** Leang Bea WRI, A19 [“Regiment 140 controlled all of its warships and had the role of combat at sea. All navy boats were under Regiment 140”]; **D54/98** Heang Ret WRI, A28 [“Regiment 140 was in charge of all vessels”]; **D114/83** Sok Neang WRI, A19 [“Regiment 140 was responsible for ships”].

D54/98 Heang Ret (Hieng Reth) WRI, A31, 33 [“in Regiment 140 there were four Type 136 Chinese combat boats, 12 pursuit boats, and two anti-submarine ships [...] A33: They anchored at different places such [as] Koh Rong Island”]; **D54/33** Ing Chhon WRI, A20 [“Sometimes, our ship was anchored at Ou Chheu Teal, and other times at Ream depending on the orders we received from the division”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974195, KH 00926375 [“Q: Where were Vessel 17-8 and Vessel 17-9 stationed? A: They were stationed at Koh Rong island and occasionally moved to Ou Chheu Teal”].

D54/10 Meu Ret alias Saret WRI, A10, 22 [“I knew Saroeun when the Regiment 140 was first created. Saroeun was the commander of that regiment [...] A22: commenting about Document No. D1.3.14.2, EN 00233944-45, KH 00161788-89: “The second document describes the plan to take Vessel No. 2 to be repaired. The person named Roeun mentioned in this telegram was Saroeun – the Commander of Regiment 140”]; **D114/103** Liet Lan (Nam Lan) WRI, A36 [“Q: Who was commander of the Navy? A36: Saroeun, but he has disappeared, and then Seng took over the Navy”]; **D54/98** Heang Ret (Hieng Reth) WRI, A28 [“Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 [“The first leaders [of Regiment 140] included Ta Saroeun. Saroeun was the chairman, and Sam, from the side of Ta Doem, was the commander and deputy chairman. After that it was Ta Seng, and Ta Sam was arrested. He was arrested under Ta Doem’s time”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“The Regiment Commander was (Saroeun) (deceased) who was also the Regiment’s political officer”]; **D114/132** Mao Ran WRI, A176-178 [“Q: We would like to ask you about Regiment 140. Who was the commander of Regiment 140? A176: Saroeun. Q: We have received information that Tim Seng was also once the commander of Regiment 140. Have you ever heard this name? A177: I heard of him and knew him. He was Saroeun’s deputy commander [...] A178: In Regiment 140 there were only the following: Saroeun, Seng and Han”]; **D54/43** Lon Seng WRI, A2 [“Meas Mut was the political commissar. There were three regiments within Division 3, and each regiment was controlled by a commander. I only remember my regiment chief, Bang Saroeun”]; **D2/9** Say Born WRI, A34 [“Q: At that time who were appointed to be the chief, deputy, and member of the Unit 140? A34: In that unit I did not know how they organized it. But I knew that Saroeun was the chief of the unit. But

after Saroeun had been disappeared or removed”]; **D114/48** Sok Ngon WRI, A20 [“Q: What was the name of the Regiment 140 commander? A20: Ta Saroeun [...] and Ta Horn”]; **D54/17** Say Born WRI, A2.

772 **D54/87** Prum Sarat WRI, A56 [“Meas Mut issued orders to the regiment [140] of Saroeun, and Saroeun relayed the orders to the battalion of Han, and Han relayed it to me, the company commander”].

773 **D54/73** Mut Mao WRI, A6, 9 [“Q: Who was the deputy of Meas Mut? A6: I do not know who the commanders and deputy were. But in his committee, there were three people: Ta Mut, Ta Saroeun and Ta Nhan [...] A9: Ta Saroeun was sent to Kampong Som Port”]; **D54/81** Hing Uch WRI, A14 [“Later Yan also came in to take charge of Division 164 with Uncle Mut [...] Saroeun came in to replace Yan. Saroeun was from Regiment 140 and probably replaced Ta Yan”]; **D54/82** Hing Uch WRI, A17 [“Yesterday, I talked about Saroeun. I suspect that Roeun and Saroeun were the same person. Among the cadres, his name was heard more than the others”]; **D54/98** Heang Ret (Hieng Reth) WRI, A28 [“Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng”]; **D54/23** Pak Sok WRI, A1 [“Ta Saroeun, also dead, was the deputy of Meas Mut in charge of the military. Meas Mut was the political commissar in overall charge”]; **D114/95** Yoem Sroeung WRI, A224-225 [“In Regiment 140, there was Saroeun, the political chairman (deceased). Below Saroeun, there were Seng (deceased), Saroeun’s deputy, and Sam, Seng’s member [...] A225: When Saroeun was promoted to division level, Seng replaced Saroeun”].

774 **D114/65** Chet Bunna alias Chet Cham WRI, A12 [“Ta Sam, who was from the East Zone, was the deputy. But Ta Sam was smashed at that time”]; **D54/97** Khoem Yat WRI, A5 [“Dim went to Kampong Som before Sam and me. In Kampong Som, Dim was Division 164 Deputy Commander. Sam was in the regiment”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 [“The first leaders [of Regiment 140] included Ta Saroeun. Saroeun was the chairman, and Sam, from the side of Ta Doem, was the commander and deputy chairman. After that it was Ta Seng, and Ta Sam was arrested. He was arrested under Ta Doem’s time”]; **D114/230.1.1** OCIJ S-21 Prisoner List, [identifying No. 14561 as Sam in Regiment 140, Division 164]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 39 EN 00679643; **D1.3.1.8** Sam S-21 Confession, 13 July 1976; **D1.3.5.4** S-21 Prisoner List of People implicated by Enemies, EN 01149197 [identifying No. 1 as Saroeun a Commissioner of Regiment 140; No. 2 as, Sam Commander; and No. 3 as Seng, Deputy Commander]. Witness Yoem Sroeung mistakenly believed that Sam replaced Seng: **D114/95** Yoem Sroeung WRI, A225 [“When Saroeun was promoted to division level, Seng replaced Saroeun, Sam replaced Seng, and Han replaced Sam”].

775 Seng might have succeeded to Sam at this position of deputy commander after the latter’s arrest in mid-1976, or may have been the second deputy commander since the creation of Regiment 140 in August 1975: **D54/10** Meu Ret alias Saret WRI, A9 [“After the navy was created, Seng became a deputy commander of Regiment 140”]; **D114/132** Mao Ran WRI, A177-178 [“Q: We have received information that Tim Seng was also once the commander of Regiment 140. Have you ever heard this name? A177: I heard of him and knew him. He was Saroeun’s deputy commander [...] A178: [...] In Regiment 140 there were only the following: Saroeun, Seng and Han”]; **D114/95** Yoem Sroeung WRI, A222-224 [“Q: Where did Seng go? Why did he cease being the commander of Regiment 61? A222: Because Seng was moved to Regiment 140. Q: What was Seng’s position at Regiment 140? A223: Seng held a more senior position than Han did. Q: Can you describe the senior-level leadership in Regiment 140? A224: In Regiment 140, there was Saroeun, the political chairman (deceased). Below Saroeun, there were Seng (deceased), Saroeun’s deputy, and Sam, Seng’s member”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 [“Q: And did Regiment 140 consist of Ta Seng – was he the leader? [...] A: The first leaders included Ta Seng [...] a deputy”]; **D1.3.5.4** S-21 Prisoner List of People implicated by Enemies, EN 01149197 [identifying No. 1 as Saroeun, Commissioner of Regiment 140; No. 2 as Sam, Commander; and No. 3 as Seng, Deputy Commander].

776 **D54/98** Heang Ret (Hieng Reth) WRI, A28 [“Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng”]; **D114/103** Liet Lan (Nam Lan) WRI, A36, 88 [“Q: Who was commander of the Navy? A36: Saroeun, but he has disappeared, and then Seng took over the Navy [...] Q: What was the name of the regional commander [of Regiment 140]? A88: Tim Seng”]; **D114/86** Chet Bunna alias Chet Cham WRI, A26 [“When I was still in the Navy, Ta Seng was the Commander of Regiment 140”]; **D114/66** Chet Bunna WRI, A1 [“Ta Seng became the commander of the Regiment 140 and he was in charge of the O Chheu Teal place”]; **D54/49** Em Sun WRI, A26 [“They were the battleships of the Independent Regiment 140 whose commander was Toem Seng”]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115974 [“Q: Who was in charge of the Regiment [140]? A: Tim Seng was”]; **D59/1/1.12** Nob Hal (Nop Hal) DC-Cam Statement, EN 00968421, KH 00926645 [“Ta Saroeun was transferred to take charge of the port [...] Then, Ta Seng rose to that position [...] he was also in charge of 140”]; **D59/1/1.7a** Ma (Mak) Chhoeun DC-Cam Statement, EN

00969932, KH 00926309 ["Q: [...] What was Seng's position at the time? A: Seng was with a regiment. It was a naval regiment. That was the time they reorganized the navy"]; **D114/65** Chet Bunna alias Chet Cham, WRI, A12.

777 At some point, between mid-1977 and mid-1978, Tim Seng left for a technical training in China (likely for a few weeks or months); **D114/103** Liet Lan (Nam Lan) WRI, A20, 22-23, 52-53 ["Tim Seng commanded the Navy [...] A22: Tim Seng was also sent to study in China. Q: After Seng was sent to study in China, who replaced him as commander? A23: There were many deputies, one of whom was Han [...] Q: When you were studying in China, who was your superior? A52: Tim Seng. Q: Did Tim Seng also go to study there at the same time as you? A53: Yes, he did."]; **D114/215** Meas Im WRI, A32 ["What I know via generalities is that Tim Seng went to study naval military techniques in China. Upon return, he was on permanent duty at the division location"].

778 See para. 224 (c).

779 **D114/95** Yoem Sroeng WRI, A64, 67, 225-226 ["They were Nget, Dim, Yam, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA [...] A67: I knew those people were called away, and two or three days later Regiment 140 Chairman Han told us in a meeting that those persons were enemies burrowing from within [...] A225: After that, when Seng and Sam were moved to another place, probably also to division level, Han became the commander of Regiment 140 [...] A226: My commander Han told me about this. All of them were considered traitors within the army's ranks"]; **D114/103** Liet Lan (Nam Lan) WRI, A23 ["Q: After Seng was sent to study in China, who replaced him as commander? A23: There were many deputies, one of whom was Han"]; **D114/132** Mao Ran WRI, A178 ["In Regiment 140 there were only the following: Saroeun, Seng and Han"]; **D54/98** Heang Ret (Hieng Reth) WRI, A28 ["Saroeun was the commander of Regiment 140. Later Saroeun was replaced by Tim Seng. After Tim Seng was promoted to chairperson of Division 164 instead of Meas Muth in 1979 during the fierce combat with the Vietnamese, Ta Han became the commander of Regiment 140 instead of Tim Seng"]; **D114/48** Sok Ngon WRI, A20 [Q: What was the name of the Regiment 140 commander? A20: Ta Saroeun [...] Ta Hom"]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A34 ["The Regiment 140 commander's name was Han"]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974098, KH 00926542-43 ["Tim Seng, but he has died as well. Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh. Tim Seng became the commander of Division 164 while Han became the chief of Marines Division 140"]; *Partially contra*, **D54/113** Leang Bea WRI, A28-29 ["The chairperson of Regiment 40 was Han [...] A29: [...] he served as the chairman when I arrived there, from 1976 to 1979"].

780 **D114/95** Yoem Sroeng WRI, A76, 223, 225 ["Under Han, there was Moeun, Han's deputy. Chhav was Moeun's deputy and Uoch was under Chhav. Bau was among those at the regimental committee [...] A223: Seng held a more senior position than Han did [...] A225: Han became the commander of Regiment 140. Moeun, Chhav, Uoch and Bau were under Han"]; **D54/10** Meu Ret alias Saret WRI, A22 ["As for Moeun, he was the former commander of a Special Unit under Meas Mut and the commander of Battalion 141 of Regiment 140"]; **D114/132** Mao Ran WRI, A178-179 ["In Regiment 140 there were only the following: Saroeun, Seng and Han [...] Q: We have information that Chhin Sambath alias Bau was also a commander of Regiment 140. Did you know him? A179: Yes, I knew Bau. He was not the commander of Regiment 140. He was a boat commander"]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A34 ["The Regiment 140 commander's name was Han (deceased), and his deputy's name was Chhav (died in 1979)"]; **D2/9** Say Born WRI, A34 ["after Saroeun [...], the leadership committee of the unit composed of Han, Bo, and Moeun"]; **D114/66** Chet Bunna alias Chet Cham WRI, A2 ["Moeun was the commander of Battalion 141 in Regiment 140 of the Navy Forces. Moeun stayed at the O Chheu Teal Pier for the whole time. Later on, in 1977, at the time they removed me from the Navy Forces, I saw Moeun was still there. At that time he was a captain of one ship, and as I can recall now, his ship's number was 103"]; **D54/49** Em Sun WRI, A27 ["Bau was formerly on the Committee of Independent Regiment 140. At that time, he was in charge of patrol ships"]; **D114/103** Liet Lan (Nam Lan) WRI, A88-89 ["Q: What was the name of the regimental commander? A88: Tim Seng. Q: What were the names of other regiment commanders? A89: Han (deceased) and Bau"]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 ["[Meuan] was the permanent member of the regimental command committee"]. Regarding Moeun's previous position in Division 3 as Special Battalion 450 Commander: **D54/7** Dol Song WRI, A8 ["Moeun was the Political Chairman of the Special Battalion"].

781 **D54/23** Pak Sok WRI, A1-2 ["Seng was also a deputy of Ta Mut [...] I saw him commanding a ship [...] Another deputy of Meas Mut was Bau, the military commander of Naval Regiment 140. Bau was chairman of the regiment responsible for all the vessels of the Navy. I was a messenger of Bau from 1977 to 1978 [...] A2

[...] Chhav was Bau's deputy [...] Uoch, was a member [...] Bau, Chhav, and Uoch were the commanders of the navy"]].

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D114/285 Bun Sarath (Prum Sarat) WRI, A141 ["Regiment 140 was stationed in Au Chheu Teal"]; **D54/113** Leang Bea WRI, A18 ["Q: From 1976 to 1979 when you served as a soldier of Regiment 140, where was your regiment based? A18: My regiment was based in Ou Chheu Teal"]; **D54/17** Say Born WRI, A2 ["The port was Regiment 140's command location. The house was the office of the regiment's commander, Saroeun. After Saroeun's disappearance, the house became the telegraph team base of Battalion 140"]; **D54/98** Heang Ret (Hieng Reth) WRI, A42 ["I was sent to work in the naval headquarters of Regiment 140 located at Ou Chheu Teal"]; **D54/10** Meu Ret alias Saret WRI, A21 ["Q: Which units were located near Ou Chheuteal Beach? A21: Near the port, there was the headquarters of Regiment 140, and along the road near the beach, there were also the bases of Battalions 141 and 142. I do not remember clearly the location of Battalions 143 and 144, but these four battalions were under Regiment 140"]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A60-61; **D114/132** Mao Ran WRI, A61 [Q: Before you arrived at Ou Chheu Teal, did anyone tell you why you were going there? A61: Those who had to go to newly created unit, meaning Regiment 140, stayed on there [at Ochheuteal]]; **D114/66** Chet Bunna alias Chet Cham WRI, A1, 23; **D54/11.3** Administrative Map of Mittakpheap District - Indication of the locations by Meu Ret, EN 00936717 [witness indicates base of Regiment 140 and of Battalion 141 near Ochheuteal Pier].

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D114/48 Sok Ngon WRI, A14 ["When I first arrived in Kampong Som, I was sent to receive naval training there. Sometimes we were sent to receive naval training at Ou Chheu Teal"]; **D54/87** Prum Sarat WRI, A39-40 ["I never went to the Division Headquarters, but I used to attend meetings organised by Division 164 at Ou Chheu Teal Beach. Q: Was the training conducted often? A40: It was conducted annually"]; **D114/65** Chet Bunna alias Chet Cham WRI, A16 ["At that time, they started organizing the navy forces and then sent my group to the training at Ou Chheu Teal [...] I was sent for a six month training in one of the four vessels"]; **D114/132** Mao Ran WRI, A75 ["We deployed at Ou Chheu Teal after the establishment of the new unit. We convened naval technical courses [...] Those who completed the training were allowed to board big warships"]; **D54/10** Meu Ret alias Saret WRI, A17 ["I was sent to Ou Chheuteal Beach, where I underwent diving and swimming training; later I was trained in high-speed boat engines"]; **D114/103** Liet Lan (Nam Lan) WRI, A207; **D54/112.1** Phlong Chhea DC-Cam Statement, EN 00968349, KH 00926494-95 ["For each training session, there were between 4 to 6 shiploads of participants. Q: How long did each training session last? A: It lasted between three to six months"]; **D59/1/1.7a** Ma Chhoeun (Mak Chhoeun) DC-Cam Statement, EN 00969943, KH 00926321; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978568, KH 00955496 ["Q: Did you attend training at [...] O Chheu Teal? A: Yes. [...] After the three-month training, we were able to work"]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974096, KH 00926540; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088456, KH 01007855.

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D54/99.1 Lay Bunhak DC-Cam Statement, EN 01115973, KH 00990767 ["I started learning the first six-month course in October [1976] [...] I studied the skills required for navigation"]; **D54/112.1** Phlong Chhea DC-Cam Statement, EN 00968350-51, KH 00926495-56 ["We were taught different parts of the vessel namely the weapon section [...] There were various sections namely the radar, compass, telegram, course plotting, machinery and navigation"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974180, KH 00926362 ["We were trained about navigating, engine repair and maintenance, weapons, electricity, telecommunication, telegrams, walkie-talkies, and flag signals [...] including radar"]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088456, KH 01007855 ["There were different sections. Some people were trained to use the vessels, some were trained to operate the machines, some were trained to drive the ships and some were trained to be the telegram operators. I was trained to use the machineguns"]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974096, KH 00926540 ["We were trained and equipped with protection skills. [...] In our country, trainees were shown how to use patrol vessels and floating vessels"].

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D54/100 Lay Boonhak (Lay Bunhak) WRI, A61 ["The second place in Ou Chheu Teal was used for preparing battleships and naval mine shooting ships"]; **D54/29** Liet Lan (Nam Lan) WRI, A3 ["Soon after, I was sent to an anti-submarine vessel anchored near Ou Chheu Teal Sea Port"]; **D54/33** Ing Chhon WRI, A20 ["Sometimes, our ship was anchored at Ou Chheu Teal, and other times at Ream"]; **D59/1/1.12** Nob Hal (Nop Hal) DC-Cam Statement, EN 00968381, KH 00926609 ["Ou Chheu Teal Port provided rare access for the reason that it was off limits - during that period, battleships were kept at Ou Chheu Teal Port"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974188, KH 00926369-70 ["We anchored ahead of Ou Chheu Teal"], EN 00974195, KH 00926375 ["Q: Where were Vessel 17-8 and Vessel 17-9 stationed? A: They were stationed at Koh Rong island and occasionally moved to Ou Chheu Teal"].

- 786 See **VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea**, paras 380, 392-398, and 422 for further details. See also **D54/25** Pak Sok WRI, A6, 10, 22 [“Those soldiers captured anyone who entered Kampuchean territorial waters within their areas of operation. When the operations described in this document were underway, I was in Regiment 140. I had just returned from Koh Poulo Wai Island and was working at the wooden port at Ou Chheu Teal Beach. When military on the islands captured those people they sent them to the mainland, and they always brought the captured ashore at the Ou Chheu Teal port, where I worked [...] A10: The number of captured totalled thousands as far as I know. Each month they consisted of 10 to 50 persons [...] A22: I saw another event when I captured and transported 13 Vietnamese refugees to Ou Chheu Teal”]; **D59/1/1.12** Nob Hal (Nop Hal) DC-Cam Statement, EN 00968401, KH 00926627 [“Q: When the captives were sent to Kampong Som, were they sent to Ream or Ou Chheu Teal? A: They were often sent to Ou Chheu Teal”]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088468, KH 01007867 [“There was one time when they sent the arrested people to Ou Chheu Teal”].
- 787 **D54/113** Leang Bea WRI, A21 [“There were anti-submarine boats, defence boats, floating boats and (small) mine-detecting boats”]; **D54/99** Lay Boonhak (Lay Bunhak) WRI, A33 [“There were four departments in Unit 140, namely: 1) Combat Boats 2) Defense Boats, which was my unit 3) Floating ships (026), 4) Mine sweeping ships and another one was a fuel transport ship (a support ship)”]; **D54/87** Prum Sarat WRI, A25 [“I do not remember the number of boats or small motorboats. I only remember the number of the ships/vessels of Regiment 140. From mid-1976 to 1979 Regiment 140 had ten combat vessels, ten patrol vessels, a tanker, and four minesweepers”]; **D114/103** Liet Lan (Nam Lan) WRI, A40 [“Some came from the anti-submarine section, the defence ship section and the pursuit ship section”]; **D114/12** Neak Yoeun WRI, A10 [“There were different battalions under Regiment 140, including a chase-ship battalion, a mine-sweeper battalion, a defence-ship battalion, and a PCF-ship battalion”]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963728, KH 00926461 [“At that time, the civilian (sic), we had four fleets: 1) the defensive ship 125cc; 2) the patrol ship 026; 3) the minesweeper ships; 4) the anti-submarine, and 5) the oil tanker”]; **D4.1.761** Unknown US POW/MIA Statement, EN 00387299, KH 01507823 [“Subordinate to source’s regiment were three battalion-sized units; a fast pursuit battalion, a defense battalion, and an anti-submarine battalion”]; **D114/264** Chum Chy WRI, A27 [“there were three types [of ships]: pursuit vessels, 125-tonne territorial waters defense vessels and anti-submarine vessels carrying 75 people”].
- 788 **D114/65** Chet Bunna alias Chet Cham WRI, A16 [“Under that Regiment 140, they organized 4 battalions which included Battalion 141, 142, 143, and 144”]; **D2/8** Say Born WRI, A50 [“After the fall of Phnom Penh, there were battalions 41, 42, 43, and 44. In fact they did not articulate the sound ‘100’ at the beginning, they only called the two last digits like 41, 42, 43, and 44”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“Q: Did Regiment 140 have any battalions? [...] A: There were Battalions 141, 142, 143 and 144”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“The regimental command committee divided command of the ships subordinate to the regiment by class of ship”].
- 789 **D54/10** Meu Ret alias Saret WRI, A21 [“Battalion 141 was the Chase Vessel Unit and Battalion 142 was the Defense Vessel Unit”]; **D114/12** Neak Yoeun WRI, A10 [“There were different battalions under Regiment 140, including a chase-ship battalion, a mine-sweeper battalion, a defence-ship battalion, and a PCF-ship battalion”].
- 790 **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655, KH 00095536-37 [listing Comrade Sar Moeun as Secretary of Battalion in Division 164]; **D114/67** Sar Sarin WRI, A4 [“Another person was Sar Moeun. He was a Commander of Battalion 141”]; **D114/66** Chet Bunna (Chet Cham) WRI, A2 [“Moeun was the commander of Battalion 141 in Regiment 140 of the Navy Forces. Moeun stayed at the O Chheu Teal Pier for the whole time”]; **D54/10** Meu Ret alias Saret WRI, A22 [“As for Moeun, he was the former commander of a Special Unit under Meas Mut and the commander of Battalion 141 of Regiment 140”]; **D54/106.2** Samn Kan alias Buth DC-Cam Statement, EN 01509181 [“There were 4 battalions, including Battalion 41, 42, 43 and 44 [...] The commander of Battalion 41 was Moeun”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“Moeun was in charge of Battalion 141”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“Meuan commanded the torpedo boats”]; **D54/38.1** Lun Seng DC-Cam Statement, EN 01072392, KH 0096731. *Contra* **D54/17** Say Born WRI, A2 [“Bau, commander of the Chase Vessel Unit, replaced Saroeun; he occasionally worked in the house, but he spent most of his time on a ship”].

- 791 **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 3223 as Kun Dim, a Deputy Secretary of Battalion 141 in Division 164 and previously in Sector 22, East Zone]; **D1.3.30.6** DK General Staff Report, *Second General Staff Study Session - Table of Participant Statistics*, 23 Nov 1976, EN 00195332, KH 00008466 [identifying Kun Dim as Deputy Secretary of a battalion in Division 164]; **D1.3.28.49** S-21 Prisoner Interrogation Log, EN 00937118 [identifying No. 17 as Kun Dim a Commander of a battalion in Division 164]; **D114/85** Chet Bunna (Chet Bunna) WRI, A28 [“He [Kun Dim] was from Battalion 141 of Regiment”]; **D1.3.28.45** S-21 Prisoner List, 26 Aug 1977 [identifying Kun Dim as Commander of a battalion in Division 164]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A1-2, 15 [“His name is Kun Dim. He was the commander of Battalion 141 [...] Q: Were you in this Battalion? A2: Yes [...] A15: Dim whom we knew was generally known as the deputy of the Division 164”].
- 792 **D9.3** OCIJ List of S-21 Prisoners from Division 164 [Kun Dim executed on 19 September 1977]; **D1.3.28.49** S-21 Prisoner Interrogation Log, EN 00937118 [identifying No.17 as Kun Dim as Commander of a battalion in Division 164 who was arrested on 20 April 1977 and whose interrogation was completed on 21 Jul 1977]; **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 3223 as Kun Dim as Deputy Secretary of battalion 141 in Division 164 and previously in Sector 22, East Zone, who entered S-21 on 20 or 25 April 1977]; **D1.3.18.3** Kun Dim S-21 Confession, 20 Jul 1977, EN 00758228 [The summary of his confession by S-21 personnel indicates “Former Battalion Commander, Regiment 152 → Battalion 141/140/164”; which is a reference to his previous Regiment 152 headed by Hoeng Dim in the East Zone and to the fact he was transferred to Battalion 141, Regiment 140 of Division 164], EN 00758239 [summary by the interrogator mentioning his date of arrest as being 20 April 1977]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A5 [“I knew that he [Kun Dim] was arrested in Au Chhea Teal”]; **D114/85** Chet Bunna (Chet Cham) WRI, A28-29 [“He [Kun Dim] was from Battalion 141 of Regiment 140 [...] A29: he was arrested in total secrecy. Kun Dim was also like my neighbour [...] When he disappeared, his wife and children also went missing”].
- 793 **D54/10** Meu Ret alias Saret WRI, A22 [“Vessel No. 2 was a chase boat in the Chase Vessel unit which consisted of 12 boats in total”]; **D114/67** Sar Sarin WRI, A20 [“I was in the floating vessel unit. In this floating vessel unit, there were 12 vessels. Each vessel was 5.1 meters wide and 22.5 meters long. Each vessel had 13 crew members”]; **D54/87** Prum Sarat WRI, A25, 27 [“From mid-1976 to 1979 Regiment 140 had ten combat vessels, ten patrol vessels, a tanker, and four minesweepers [...] A27: I do not remember their size, but I remember that the patrol (combat) vessels had two anti-vessel guns affixed on both sides, which fired 55 mm rounds”]; **D114/103** Liet Lan (Nam Lan) WRI, A74 [“there were two antisubmarine ships, six defence ships and about ten assault ships”]; **D2/9** Say Born WRI, A45 [“Q: Do you recall how many vessels were there in the pursuit section/unit? A45: As I can recall, there might be 12 or 14 vessels”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“I was in Battalion 141. Q: Which type of vessel did your battalion use? A: We used floating vessels”].
- 794 **D54/113** Leang Bea WRI, A26 [“there were two rockets (similar to missiles) on both of sides designed to shoot large enemy boats”]; **D114/261** Chum Chy WRI, A7 [“One kind was called 01, 02, those they called pursuit craft and mine-destroyers. They were fast and dropped mines into the water on submarines. We received 12 such craft”].
- 795 **D54/10** Meu Ret alias Saret WRI, A21 [“Battalion 141 was the Chase Vessel Unit and Battalion 142 was the Defense Vessel Unit”]; **D114/12** Neak Yoeun WRI, A10 [“There were different battalions under Regiment 140, including a chase-ship battalion, a mine-sweeper battalion, a defence-ship battalion, and a PCF-ship battalion”].
- 796 **D114/85** Chet Bunna alias Chet Cham WRI, A29 [“I was in Battalion 142 under the command of Sang”]; **D114/95** Yoem Sroeng WRI, A168-169 [“That senior person was Sang, the chairperson of Battalion 2. However, I am not sure if it was number 2 or 42 [...] Q: Which regiment was Sang under? A169: He was under Ta Han in Regiment 140”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“Sang was responsible for Battalion 142”].
- 797 **D54/10** Meu Ret alias Saret WRI, A22 [“The Comrade Han mentioned in this report was the commander of Battalion 142, which was the Defense Vessel unit under Regiment 140”]; **D2/10** Say Born WRI, A24 [“Mr. Han was the chief of the defense-vessel unit”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“Hon commanded all ships considered defensive vessels or those vessels that could be used to defend the maritime borders. Meuan commanded the torpedo boats, and Bo commanded the fast attack boats”]; **D2/9** Say Born WRI, A13 [“My battalion at that time was the Battalion 144 whose chief was Han”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“Han controlled

Battalion 144, but he was in charge of Regiment 140 later”]. *See also* para. 239 regarding the role of Han as former chief of Battalion 520 (Regiment 22) before his transfer to Regiment 140 (*see* para. 244).

D114/230.1.1 OCIJ S-21 Prisoner List [identifying No. 3994 as Kung Sean alias San, a Battalion 142 Secretary who entered S-21 on 27 or 28 April 1977, and died of disease on 14 February 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, [identifying No. 20 as Kung Sien alias Sang, a Battalion Secretary who entered S-21 on 28 April 1977 and died of disease on 14 February 1978].

D54/87 Prum Sarat WRI, A25 [“I do not remember the number of boats or small motorboats. I only remember the number of the ships/vessels of Regiment 140. From mid-1976 to 1979 Regiment 140 had ten combat vessels, ten patrol vessels, a tanker, and four minesweepers”]; **D114/281** Chum Chy WRI, A16 [“There were eight 125-tonnes armoured cruisers [...] They were gifts from China”]; **D2/10** Say Born WRI, A27 [“there might be 8 or 10 vessels in the defense unit”]; **D114/12** Neak Yoeun WRI, A8-9 [“Q: how many ships of this type were under the command of Regiment 140? A8: About six ships [...] A9: They called my ship a defence ship”]; **D114/181** Sem Kol WRI, A18, 24 [“Q: In what type of vessel you were assigned to work? A18: It was a defence-type vessel [...] A24: The vessels were 101, 102, 103, 104, 105, 106, 107, and 108”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014 [“Defense vessels included two former U.S. PCF and seven Chinese fast attack boats”], EN 00387313, KH 01506014-15 [“The two former U.S. PCF boats formed one squadron and were based at Koh Kong [...] The seven Chinese vessels were numbered 101 through 107”].

D2/10 Say Born WRI, A28 [“Although they called them the defense vessels, their task was to attack”]; **D54/113** Leang Bea WRI, A25, 63 [“As for the role of the defence boats, when the enemy invaded our maritime territory, these defence boats would be dispatched to fight the enemy [...] A63: If a ship or a small boat was faraway, we would send a speed boat, and only when a big ship or warship entered deep into our territory, they would send a defence ship”]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963730, KH 00926462 [“Q: Were the PCF ships in use? A: They were used only for night patrol at Koh Kong”], EN 00963732, KH 00926465.

D54/97 Khoem Yat WRI, A24 [“Later they assigned me to navigate a PCF boat, and at Ream there were PCF Boats 101, 102, 103, and 104”]; **D114/181** Sem Kol WRI, A19 [“Q: Where was your vessel based? A19: At Koh Rong Sanleum Island and Ream”].

D2/10 Say Born WRI, A29 [“the vessels of the defense-vessel unit were deployed to station on various islands waiting for the order to attack”]; **D114/181** Sem Kol WRI, A19, 24 [“Q: Where was your vessel based? A19: At Koh Rong Sanleum Island and Ream [...] A24: One vessel had 36 persons. The vessels were 101, 102, 103, 104, 105, 106, 107, and 108. I was on Vessel 104”]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A30 [“Q: Was the PCF group a component of the Regiment 140 or the land base unit of the marine forces? A30: they did not dock their vessels at the Au Chheu Teal beach”]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088470, KH 01007870 [“There were 16 PCFs. Each island had 1 or 2 PCFs. But there were no [PCF] at Koh Rong Island because it was near Kampong Som”], **D4.1.758** Unknown US POW/MIA Statement, EN 00387313, KH 01506014 [“The boats were based in three locations. [...] The squadrons that included Vessels 105/106 and 102/104, and Vessel 101 were based on Rong Samloem Island. Vessels 103 and 107 were based on Tang Island [...] The two former U.S. PCF boats formed one squadron and were based at Koh Kong”]. *See also* **D54/34** Ing Chhon WRI, A14 [“In Koh Kang during that time two PCF boats were positioned there”]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A60-61 [“Regiment 140 was located in two places[...] A61: [...] The first place on Koh Rong Sonlim Island was used for arranging defense boats”]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 009637230, KH 00926463 [“The PCP ships were used during the war [...] They were used only for night patrol duty at Koh Kong”].

D54/51.1 Telegram 09 from Meas Muth to Brother 89 (Son Sen), 29 May 1977, EN 01109278, KH 00970626 [“we have decided to assign our brothers who are stationed there to go out on patrol missions around six to ten kilometres away in front of Koh Kong Island [...] we encountered around 50 to 60 Thai fishing vessels; thus, we approached them; however, all those fishing vessels had escaped except for a 40 HP fishing vessel which we captured”]; **D54/79** Nop Hal WRI, A8 [“At that time, they seized a Vietnamese boat from the Koh Poulo Wai Chas Island. There were around 16 people including men, women, and children. At that time, it was probably in early 1978 and there were not many waves. That boat was seized at between 6 a.m. and 7 a.m. by a PCF boat of Regiment 140 which was on standby at Koh Poulo Wai Thmei Island”]; **D54/73.2** DK Report from Sim to Division 164, 15 Sep 1977 [referring to “the boat that we captured in the South of Koh Kong”]; **D54/79** Nop Hal WRI, A3 [“The PCF boat was the most suitable to capture a boat. The PCF was modern, fast, and well-armed with weapons”]; **D114/95** Yoem Sroeung WRI, A100, 107 [“PCS Ships were

smaller and faster, and they consumed less petrol than my ship [Ship 102] [...] A107: Yes, those ships fought Vietnamese ships in late 1978"; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088458, KH 01007857 ["The PCF was American ship captured by us [...] This ship had the 80 [80mm mortar] on it [...] There was also the 12 [12.7mm machinegun] on it"]; **D114/281** Chum Chy WRI, A36 ["There were 12 crews on P.C.F."]; **D114/209** Moeng Seng WRI, A27 ["There were 12 people on one PCF Ship"]; **D54/34** Ing Chhon WRI, A14-15 ["in Koh Kong during that time two PCF boats were positioned there [...] A15: [...] we captured 300 and 400 horsepower boats"]; **D114/15** Sok Vanna WRI, A23 ["Most of the captured boats were Type 52s, captured by the defense and PCF boats"]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387313, KH 01506014 ["PCF and smaller fast attack boats were used to intercept and board small foreign vessels or Cambodian vessels attempting to flee Cambodian waters"]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968397-98, KH 00926623 ["Q: So when you arrived on Koh Tang, as for something like fishing boats from Thailand or Vietnam entering the marine territory, what measures did you take? A: We seized them. [...] At that time, initially, there were only PCF ships used to go seize boats"]. *See VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea*, for further details about the foreign boats captured.

804 **D114/281** Chum Chy WRI, A16 ["There were eight 125-tonnes armoured cruisers; each ship could carry 37 forces"]; **D114/65** Chet Bunna WRI, A16 ["Based on my recollection, my ship's number was 104, and it weighed 125 tons. There were 36 crew members working in that ship including the captain"]; **D114/113** Koem Men WRI, A145-146 ["I only saw the warship which the Chinese gave us. The ship was docked at the island, and I saw between 36 and 40 people on the ship [...] A146: They fired at sea. They had a 37 mm gun"]; **D54/113** Leang Bea WRI, A24 ["The defence vessels had 37 crewmembers. [...] I was on such a boat"]; **D114/95** Yoem Sroeng WRI, A86-87, 122; **D54/87** Prum Sarat WRI, A26; **D4.1.758** Unknown US POW/MIA Statement, EN 00387313, KH 01506014; **D114/181** Sem Kol WRI, A24; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963730, KH 00926462; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088457, KH 01007856.

805 **D114/281** Chum Chy WRI, A37 ["It [Chinese ship] was used to attack bigger warships with bottoms at least 4 metre deep under water"]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387313, KH 01506014 ["The larger Chinese made vessels and the torpedo boats were used to intercept and warn large cargo vessels or in cases where a battle with other armed vessels was anticipated"]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974102-03, KH 00926546 ["Q: So, what was the floating ship used for? A: It was used for raids and destruction because its shell carried almost a ton of explosive. [...] Or, when a ship had been captured by the sailors and could not be sunk, we used that ship [the floating vessel] to fire on and sink the other [...] they were made in China. Q: So, were the floating ships different from defending and patrol ships? A: Yes"].

806 **D54/79** Nop Hal WRI, A3 ["I would like to explain about the procedure of capturing boats as follows: the battalion reported to the regiment that the boat had invaded. Generally, the regiment would then report to the division which was located in Kampong Som. Later Division 164 sent PCF boats of Regiment 140, which sometimes was located in Kampong Som or at a standby location"]; **D114/95** Yoem Sroeng WRI, A86, 95, 101 ["Q: What kind of ship was Ship 102? A86: It was a Chinese-made defense ship [...] Q: You said that Ship 102 could not depart unless there was an order from division level. Is this correct? A95: Yes, it is [...] A101: unless there were orders from the upper level, my ship could not depart"]; **D54/34** Ing Chhon WRI, A14, 22 ["In Koh Kong during that time two PCF boats were positioned there, and the commander of the both boats was Sim [...] A22: Ta Sim had no authority to make any decisions on any boats captured; he had to follow orders from the division"]; **D54/113** Leang Bea WRI, A47-48; **D4.1.758** Unknown US POW/MIA Statement, EN 00387313, KH 01506014 [detailing the radio communications system].

807 Liet Lan himself admitted that two months after his return in 1978 from a long technical training in China, he became the chairman of the submarine battalion but he confused its number (143) with Battalion 142: **D114/103** Liet Lan WRI, A67, 71, 83, 86, 102 ["Q: To what position were you assigned? A67: Chairman of the Anti-Submarine Section [...] A71: two anti-submarine ships had been imported [...] A83: My anti-submarine unit was Battalion 142 [...] Q: Who was commander of your battalion? A86: In the past, I was commander [...] Q: Who appointed you battalion commander? A102: Tim Seng"]; **D2/10** Say Born WRI, A33 ["There were only two vessels in the antisubmarine unit"]; **D114/15** Sok Vanna (Suos Vanna) WRI, A26-27 ["Q: Who was the commander of the anti-submarine ship? A26: I was on Ship 011, and my commander was Chhorn. Chhorn got orders directly from Meas Mut. Both anti-submarine ships were under the direct command of Meas Mut [...] Q: Who was the commander of anti-submarine Ship 012? A27: The

commander was Lan”]; **D4.1.761** Unknown US POW/MIA Statement, EN 00387299, KH 01507823 [“The commander of the anti-submarine battalion was ((Chon)) [...] The deputy commander was ((Lan))”]; **D54/98** Heang Ret (Hieng Reth) WRI, A31; **D114/261** Chum Chy WRI, A7.

D1.3.30.5 DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897656, KH 00095537-38 [identifying Comrade Neav Rem as Secretary of Battalion in Division 164]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“Ta Ren was in charge of Battalion 143”]. *See also*, **D4.1.1066** S-21 Pen Ham Confession, 24 May 1977, EN 00822410 [identifying Rem as Secretary of Battalion 143, Regiment 140].

D54/101 Ek Ny WRI, A10 [“During that time the leadership of the Division had removed troops of Battalion 386 from the islands and from other places and sent them into a unit called the Production Unit. At that time I heard from the soldiers, who had been removed and sent to the Production Unit with me, saying that brother Rem, the former commander of Battalion 386, was shot dead in front of Wat Enta Nhean Pagoda [...] Those soldiers, who were arresting [Rem], were from the Special Unit of Ta Mut. They were like Ta Mut's bodyguards and also known as his right hand unit. After punching those soldiers, Rem jumped out of the car and tried to flee. The soldiers promptly shot him in the head. He fell on the street in front of Wat Enta Nhean Pagoda and died instantly”].

D2/9 Say Born WRI, A13 [“My battalion at that time was the Battalion 144 whose chief was Han”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926543 [“Han controlled Battalion 144, but he was in charge of Regiment 140 later”]. *See also* **D1.3.5.13** S-21 Name List of Persons Implicated by Prisoners, EN 01148978 [identifying Han as Battalion 144 commander]. Regarding the promotion of Han as chairman of Regiment 140 in mid-1978, *see* para. 244, above.

D54/87 Prum Sarat WRI, A25 [“From mid-1976 to 1979 Regiment 140 had [...] four minesweepers”]; **D2/10** Say Born WRI, A35 [“Those vessels were called the mine sweeping vessels. There were four ships, but they were all old [...] At that time they did not only use them to sweep mines in the sea, but they also used them to sweep mines in the Mekong River”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974104, KH 00926548 [“There were four ships then. At that time, those mine sweepers were taken to destroy mines along the Mekong River course only. [...] I took them. After they had been used to clear all the mines along the Mekong River course, they were allowed to be sailed out to the sea”].

D2/10 Say Born WRI, A35 [“Q: Did you ever hear about the frontline outpost in Keb where the two mine sweeping vessels were stationing? A35: Those vessels were called the mine sweeping vessels”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312, KH 01506014.

D59/1/1.8a Prum Sarat DC-Cam Statement, EN 00974177, KH 00926359 [“I was in Battalion 44”], EN 00974188, KH 00926369 [“We anchored at some points of Koh Rong Sanloem Island because the waves and wind were quiet there”].

D54/102 Ek Ny WRI, A29 [“During that time they used the minesweeper ship, which was very fast, to chase and capture the Thai fishing boats”]; **D54/109** Sao Sam WRI, A11 [“When we spotted any Vietnamese’s, Thai’s or other foreigner’s boat/boats coming in our water, we reported it via the radio communication to the base of the Division 164 in Kampong Som. The Division then dispatched its ship, which was the mine sweeper and was a very fast ship, to chase and capture the encroaching boat or ship”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974105, KH 00926548 [“They had been granted to Cambodia to destroy mines. They were so fast, and they were used to catch boats within a very short [period of] time”], EN 00974108, KH 00926551 [“We used the mine sweepers - the old floating ships to catch them”].

D59/1/1.11a Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974099, KH 00926544 [“It depended because each battalion was trained and organized to be responsible for floating vessels and patrol vessels at sea [...] All of the battalion chiefs were assigned to patrol vessels, including Moeun, Sang, Ta Ren and Han”], EN 00974100, KH 00926544 [“Q: What was the duty of the patrol vessels? A: They patrolled the seas around the islands”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974192, KH 00926373 [“The patrol boats were responsible for protection. They went out at night. For example, my vessel went to be stationed and patrol at Ruessei island”].

D59/1/1.11a Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974100, KH 00926544 [“After they had divided up the patrol zones, we took turns patrolling our respective zones”].

D54/7 Dol Song WRI, A8, 10-11, 13 [“In Division 3, there were Regiments 20, 21 and 22, a Special Battalion, and an Artillery Unit [...] A10: This Special Battalion was not under the command of any regiment. It was under the command of the Division [...] Q: After 1975, when Division 3/164 was moved to Kampong Som, what was this Special Battalion assigned to do? A11: This Special Battalion was under the

command of the Division Commander or Political Chairman [...] A13: I knew very well that this Special Battalion was under direct command of the Division. It was not under the command of any regiment. Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division. Whenever there was a meeting, all the regiment commanders were invited, and Moeun was also invited to attend the meetings”]; **D54/98** Heang Reth WRI, A28 [“Battalion 450, it became Battalion 165, which was a special intervention unit”]; **D114/83** Sok Neang WRI, A19 [“Battalion 165 was the special battalion”]; **D54/10** Meu Ret alias Saret WRI, A27 [“Battalion 450 was a Special Unit of Ta Mut”]; **D54/46** Em Sun WRI, A27, 38 [“I was transferred from Battalion 415 to a special battalion, Battalion 450 in Division 3 [...] A38: For the infantry, the commands were issued by Division 3 to the regiments, from the regiments to the battalions, and from the battalions to the companies. However, my special unit, Battalion 450, received orders directly from Meas Mut, the Commander of Division 3”]; **D114/15** Sok Vanna (Suos Vanna) WRI, A18 [“Q: Have you ever heard about the Special Battalion 450 of Division 3? A18: Yes, I have. This unit was under Meas Mut”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“The special unit was an autonomous unit of the division. It was equivalent to the regiment’s role”]; **D4.1.762** Kam Men (Koem Men) US POW/MIA Statement, EN 00387328, KH 00742578 [“the 164th division was organized into three subordinate infantry regiments numbered 61, 62, and 63, and included the 450th special operations battalion”].

818 **D2/15** Touch Soeuli alias Soeu Touch WRI, A23, 34 [“Q: You told us yesterday that the task of the Battalion 450 was changed from time to time, and later on it became to be the unit in charge of the security center, is it right? A23: Later on, because there was no fighting on the battlefield any more, this unit 450 was assigned to be in charge of the security matters [...] Q: You said that unit 450 was the security unit of the Division 164 in charge of the Kampong Som town besides Wat En Ta Nhien Pagoda. Were there any other security centers in the other places? A34: Since I did not see any other centers with my own eyes, I do not want to speak about it”]; **D54/10** Meu Ret alias Saret WRI, A28 [“Q: How did Meas Mut use Battalion 450? A28: During the war, he always sent this Special Unit to the tensest battlefields”]; **D54/46** Em Sun WRI, A32, 35 [“Q: Why was the special battalion created? A32: It was named a special battalion because it was an assisting unit. The special battalion helped the infantry when needed [...] A35: Meas Mut said in the meeting that the newly-created special unit always assisted the infantry”]; **D114/285** Bun Sarath (Prum Sarat) WRI, A173 [“Q: According to what you know, what was 450 responsible for or what roles did it have? A173: According to the preparation, it was responsible for intervention when there were military events happening at any point where the other regiments faced challenges. This unit would go and help”]; **D114/287** Heang Ret (Hieng Reth) WRI, A2, 43 [“My battalion took charge of all the warehouses at the ports. Most importantly, my unit provided security guards for all of them [...] A43: Unit 450, later known as Battalion 165, was also dispatched as the intervention force. Twenty or thirty men from each company were selected along with their commanders to be deployed”]; **D114/15** Sok Vanna (Suos Vanna) WRI, A9, 13-14 [“I worked for a special unit or a recon/investigation unit [...] A13: There was a special unit for the division to defend and provide special support to the division commander [...] A14: Regarding that special unit of the division, they could be moved anywhere in the whole division and join combat in special situations or assist other regiments”]; **D4.1.745** Unknown US POW/MIA Statement, EN 00387261, KH 01513914 [“By the time U.S. forces attacked Tang Island, the Khmer Communists had reinforced the Island with approximately 300 additional troops [...] The group was made up of the original members of Unit 2, 450th BN, other elements of the 450th BN, and the 480th BN”].

819 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 14.38.20-14.42.45 [“For unit 450 it was a special unit for Division 164 and its task was to be stationed around the divisional headquarters”]; **D54/7** Dol Song WRI, A11 [“Q: After 1975, when Division 3/164 was moved to Kampong Som, what was this Special Battalion assigned to do? A11: This Special Battalion was under the command of the Division Commander or Political Chairman. The Special Battalion was responsible for protecting leaders of the Division and arresting people who committed mistakes. At that time, the country was already in peacetime; the Special Battalion did not need to go to war. Therefore, the Special Battalion was instead used to protect leaders of the Division and to arrest those who committed mistakes”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A14, 20, 23-24 [“Q: At that time where did the commander [Sar Samoeun] of that special unit set up their command base? A14: When he first arrived, he stayed in the National Bank building near the port. Two to three days later, he moved to station in Wat En Ta Nhien Pagoda [...] A20: Yes, it was the same one unit. It was the Battalion 450 or the special unit of the Division 164 [...] A23: Later on, because there was no fighting on the battlefield any more, this unit 450 was assigned to be in charge of the security matters. Q: Was it the Wat En Ta Nhien Pagoda

Security Center? A24: It was not only for the place in Wat En Ta Nhlen Pagoda, but it was the security unit of the Division 164 for the entire Kampong Som town”; **D54/98** Heang Reth WRI, A28, 98 [“Battalion 450, it became Battalion 165, which was a special intervention unit [...] A98: I know that the security office [Wat Enta Nhlen] was supervised by the messenger(s) of Battalion 450”]; **D54/72** Mut Mao (Former messenger of her cousin Khom and telephone operator for Meas Muth) WRI, A7-8, 16 [“The special unit was like Meas Mut’s bodyguards, like that. The messenger team was the team who worked nearby and close to Ta Mut all the time. But the special unit was for guarding and manning the checkpoints surrounding his house and office [...] A8: It was a battalion [...] A16: Ta Norn was in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut’s house where Norn and his soldiers stayed. I never arrived there, so I do not know how many soldiers were there”]; **D54/71** Mut Mao WRI, A39, 42 [“I did not know which unit of soldiers brought the Yuon group to be killed there. They could have been from either the division’s special unit or the messenger unit of Meas Mut [...] Q: Why do you say that the soldiers who had brought those Yuon to be killed were the special unit or the messengers of Meas Mut? A42: Because only soldiers of the special unit were tasked to do such work”]; **D54/87** Prum Sarat WRI, A93-95 [“Battalion 450 was stationed surrounding the division. Q: What was the function of Battalion 450? A94: It was the defence unit [...] A95: Its main duty was defending Division Headquarters”]; **D54/102** Ek Ny WRI, A4 [“The Special Unit was like the bodyguard unit. It was the unit trusted by the leader. They used soldiers in this Unit to arrest the traitors and to do other important works. When they wanted to arrest those at the battalion and regiment levels, they sent the soldiers of the Special Unit to the battalion and regiment bases to tell them that brother [commander] of Division called them to attend a meeting”]; **D54/101** Ek Ny WRI, A10 [“Those soldiers, who were arresting him [Rem], were from the Special Unit of Ta Mut. They were like Ta Mut’s bodyguards and also known as his right hand unit. After punching those soldiers, Rem jumped out of the car and tried to flee. The soldiers promptly shot him in the head. He fell on the street in front of Wat Enta Nhean Pagoda and died instantly”]; **D54/105** Ek Ny WRI, A6 [explaining how Meas Muth’s special unit intervened to arrest two former Battalion 386 cadres], A18 [describing an event at Stung Hav in late 1978 during which Meas Muth’s special unit forces arrested many male railway workers and embarked them onto trucks].

820 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Battalion 165 had 265 soldiers in July 1976]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Battalion 165: 254 soliders (it is mentioned that some disabled soldiers were not included)]. About the presence of a dozen disabled soldiers working as guards within Battalion 165: **D54/111** Sam Phin WRI, A9 [“I was head of a group of 12 disabled soldiers working as guards”]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989, KH 0016045 [Battalion 165: 265 soldiers]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Battalion 165: 265]; **D54/102** Ek Ny WRI, A4, 19 [“The Special Unit was like the bodyguard unit. It was the unit trusted by the leader [...] A19: [...] Each soldier in the Special Unit had been very carefully screened of background before he was put into the Special Unit”]; **D54/72** Mut Mao (Former messenger of her cousin Khom and telephone operator for Meas Muth) WRI, A7 [“The special unit was like Meas Mut’s bodyguards, like that. The messenger team was the team who worked nearby and close to Ta Mut all the time. But the special unit was for guarding and manning the checkpoints surrounding his house and office [...] A8: It was a battalion [...] A16: Ta Norn was in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut’s house where Norn and his soldiers stayed”].

821 **D54/7** Dol Song WRI, A8, 13 [“Moeun was the Political Chairman of the Special Battalion [...] A13: I knew very well that this Special Battalion was under direct command of the Division. It was not under the command of any regiment. Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division. Whenever there was a meeting, all the regiment commanders were invited, and Moeun was also invited to attend the meetings”]; **D114/67** Sar Sarin WRI, A14 [“Sar Moeun was a commander of battalion 450. Later on he joined the Navy and he was in battalion 141”]; **D114/187** Touch Soeuli (Touch Soeurly) WRI, A11 [“Sa Samoeun was the commander in Battalion 450”]; **D54/47** Em Sun WRI, A10 [“By the time I arrived on Koh Tang Island, I had not received any information about Commander Moeun. Moeun had been wounded”]; **D54/10** Meu Ret alias Saret WRI, A22 [“As for Moeun, he was the former commander of a Special Unit under Meas Mut and the commander of Battalion 141 of Regiment 140”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“Moeun and Thean were in charge of the special unit at the time”]; **D4.1.751** Unknown US

- POW/MIA Statement, 21 Mar 2005, EN 00387258, KH 01519652 [“Source was a body guard for ((Sar)) Meuan, the 450th battalion commander”]; **D4.1.745** Unknown US POW/MIA Statement, EN 00387261, KH 01513914; **D54/46** Em Sun WRI, A27; **D2/15** Touch Soeuli alias Soeu Touch WRI, A12.
- 822 **D54/46** Em Sun WRI, A27, 35 [“Probably in March 1975, I was transferred from Battalion 415 to a special battalion, Battalion 450 in Division 3 [...] Moeun was the Chief; Sarun Kuok was the Deputy Chief; Thean and I were the Members [...] A35: Back then, I was in charge of Company 2, Moeun of Companies 1 and 3, Sarun Kuok of Companies 4 and 5, and Thean of Companies 6 and 7. After Moeun was injured in the first clash, Companies 1 and 3 were also under my authority”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“Moeun and Thean were in charge of the special unit at the time”]; **D4.1.759** Khiem Ngun US POW/MIA Statement, EN 00387265, KH 00658135-36 [“The 450th commander was Vanni and the deputy was Thean”]; **D4.1.745** Unknown US POW/MIA Statement, EN 00387261, KH 01513914 [“The 450th BN Deputy Commander Vanni and Command Committee member Tean were the on site commanders on the island”].
- 823 **D1.3.14.1** Telegram from Meas Muth to Bang 89 (Son Sen), 11 Jun 1976 [reporting a letter intercepted by the Division that was addressed to Battalion 165 Deputy Secretary Sam-At alias Sun and a cadre named “Buni” or “Sun”]; **D114/230.1.1** OCIJ S-21 Prisoner List, [identifying No. 450 as Chhun Lun alias Sam-At, who was in a Political Battalion and entered S-21 on 29 June 1976]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, EN 00874318 [identifying No. 6 as Chhun Lun, Deputy Secretary of Battalion 165]; **D1.3.3.2** S-21 Execution List, EN 00874318 [identifying No. 132 as Chhin Lun (illegible alias), member of a Battalion in Division 164, who entered S-21 on 29 July 1976, and died of disease on 1 October 1976]; **D54/27.2** List of Division 164 Persons Arrested, EN 01185462, KH 00955556 [identifying Chhun Lun alias At as Deputy Secretary of Battalion 165].
- 824 **D54/72** Mut Mao WRI, A10, 13-16 [“Q: Who was the commander of the special unit battalion? A10: His name was Norn but he is dead [...] Q: How do you know that Norn was the commander of the special unit? A13: I used to see him going in and out of Ta Mut's house. Q: Who was senior to Norn? A14: Norn was under the command of Ta Mut. Q: Where was Norn's headquarters? A15: It was at the entrance to Ta Mut's house. [...] A16: Ta Norn was in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut's house where Norn and his soldiers stayed”].
- 825 **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976; **D114/286** Heang Reth WRI, A13 [“Battalion 166 was an artillery battalion. Battalion 167 was a women battalion. There was only one women battalion. It was also an independent battalion. Independent battalions were under the division. From Battalions 165 to 170 were all independent battalions. Battalion 168 was the transportation unit. Battalion 169 was a hospital unit. Battalion 170 was a lathe unit [...] These battalions were not under the regiment, they were directly under the division”]; **D114/83** Sok Neang WRI, A19 [“I know that Regiments 61, 62 and 63 were under Division 164. I think Battalion 165 was the special battalion, but I am not sure. Battalion 166 was in charge of the artillery. Battalion 167 was my battalion. Battalion 168 was likely in charge of transportation. Battalion 169 was responsible for the medical section [...] I do not remember what Battalion 170 was responsible for”].
- 826 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Battalion 166: 243 soliders]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Battalion 166: 241 soldiers]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989, KH 00160145 [Battalion 166: 241 soldiers]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Battalion 166: 241 soldiers].
- 827 **D114/83** Sok Neang WRI, A19 [“Battalion 166 was in charge of the artillery”]; **D114/286** Heang Reth WRI, A13 [“Battalion 166 was an artillery battalion”].
- 828 **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [Female Battalion 167: 434]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Female Battalion 167: 429]; **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Female Battalion 167: 391]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Female Battalion 167: 391]; **D2/9** Say Born WRI, A25 [“I knew that Battalion 167 was the female battalion”]; **D114/83** Sok Neang WRI, A5, 14, 17 [“Prior to the victory of 1975, I worked in the Women's Battalion 167 of Division 3, based at Thnal Totoeng [...] A14: We worked under the direct command of Division 164. All the members of Battalion 167 were women [...] A17: My battalion was independent. We were not under any regiment. We were under the direct command of Division 164”]; **D114/286** Heang Reth

WRI, A13 ["Battalion 167 was a women battalion. There was only one women battalion. It was also an independent battalion"]; **D54/23** Pak Sok WRI, A3 ["the Women's Battalion was Battalion 67 or 167"].

829 **D114/83** Sok Neang WRI, A6 ["My Battalion 167 Commander was Comrade Leang, a female, who died in 1979"]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969946 ["Q: What was the name of that female battalion commander? A: It was Neang"].

830 **D114/83** Sok Neang WRI, A14, 24 ["Battalion 167 was composed of three - Companies namely Companies 32, 33 and 35. Companies 32 and 33 were sent to work in Stung Hav. Company 35 was stationed at Au Treh [...] A24: I forgot to tell you that there was one more Company under Battalion 167. It was Company 31, whose commander was Pheap (female)"].

831 **D114/83** Sok Neang WRI, A7-8 ["my group did not join in any combats at any battlefields because we were medics. We just brought the injured soldiers from the battlefield, bandaged and gave them some injection and then took them to the rear [...] A8: I want to clarify that when I lived in Stung Hav and Smach Daeng, I was still a medic. When there were patients, they had us look after and treat them, but when there were no patients, we worked like other people"].

832 **D114/83** Sok Neang WRI, A8 ["We stayed in those houses until 1976. When we stayed in Au Ty Praim, my Company joined in building the Au Chhoeur Teal Dam. From 1976, we were ordered to stay in the middle of the paddy fields in Smach Daeng. We were tasked with transplanting and harvesting rice there for nearly two years"]; **D114/88** WRIA EN 01110677, KH 01513897 ["[the witness, Nuon Ngoy's] wife Sok Neang was a battalion 167 soldier in an all-female battalion of Div 164 [...] that she worked at several locations (Smach Deng, Bet Trang, Stung hav etc)"].

833 **D114/83** Sok Neang WRI, A8, 10, 20 ["In late 1977, we were sent to Stung Hav [...] My unit joined in building a port at Stung Hav [...] Q: Where exactly did you live and work in Stung Hav? A10: We lived in a place called Chamkar Trabaek [...] A20: After 1975, because of no war, my battalion joined in growing rice and building the Au Chhoeur Teal Dam and the port at Stung Hav"].

834 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Battalion 168: 729 soldiers]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Battalion 168: 729]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [Battalion 168: 813]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Battalion 168: 841]; **D114/286** Heang Reth WRI, A13 ["Battalion 168 was the transportation unit"]; **D114/83** Sok Neang WRI, A19 ["Battalion 168 was likely in charge of transportation"].

835 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Battalion 169: 380 soldiers]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Battalion 169: 379 soldiers]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989, KH 00160145 [Battalion 169: 305 soldiers]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Battalion 169: 320 soldiers]; **D114/83** Sok Neang WRI, A19 ["Battalion 169 was responsible for the medical section"]; **D114/286** Heang Reth WRI, A13 ["Battalion 169 was a hospital unit"].

836 **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Battalion 170: 320 soldiers]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Battalion 170: 225 soldiers (not including disabled soldiers and children and some other combatants)]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976, EN 00233989, KH 00160145 [Battalion 170: 320 soldiers]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Battalion 170: 347 soldiers]; **D2/9** Say Born WRI, A25 ["I knew that the Battalion 170 was the lathing machine unit"]; **D114/286** Heang Reth WRI, A13 ["Battalion 170 was a lathe unit"]; **D54/42.1** Heng Viech DC-Cam Statement, EN 00983446, KH 00967571 ["it was in Battalion 170, and that hundred-member squad was assigned to do repair work"], EN 00983451, KH 00967571 ["I was in charge of the lathes and a member of 170. Many modern lathes from China were there, so I took equipment to be milled there"].

837 **D54/42.1** Heng Viech DC-Cam Statement, EN 00983446, KH 00967571 ["I was in a hundred-member repair squad [...] it was in Battalion 170, and that hundred-member squad was assigned to do repair work. Q: What did you repair? A: I milled and cleaned weapons [...] Q: Was your repair battalion in charge of repairing and maintaining the weapons of Division 164 in Kampong Som? A: Yes"].

838 **D114/113** Koem Men WRI, A67 ["Ham was transferred to Ream, and he took charge of the lathe section"]; **D4.1.1066** Pen Ham S-21 Confession, 3 Jun 1977, EN 00822394, KH 00174141 [identifying Pen Ham as Secretary of Battalion 170, Division 164], EN 00822431, KH 00174184 [citing his date of arrest as 27 April

1977]; **D114/236.2** Prisoner List from Division 164 to S-21 (1975-1978), EN 01312194 [identifying No.42 as Pen Ham, who was arrested on 28 April 1977 and executed on 14 February 1978]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 7207, EN 01222613; **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897656, KH 00095537-38 [identifying Comrade Pen Ham as Secretary of a battalion in Division 164].

839 **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [identifying Nguon Lak alias Sarat as a member of Battalion 170, Regiment Mechanic Hall, who entered S-21 on 28 April 1977]; **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 7546 Nguon Lakk alias Sarat as a member of Battalion 170 in Division 164, who was arrested on 28 April 1977 and executed on 13 March 1978]; **D114/236.2** Prisoner List from Division 164 to S-21 (1975-1978), EN 01312194 [identifying No.41 as Nguon Lakk, who was arrested on 28 April 1977, and executed on 13 March 1978]; **D1.3.30.6** DK General Staff Report, *Second General Staff Study Session - Table of Participant Statistics*, 23 Nov 1976, EN 00195333, KH 00008467, FR 00623211 [identifying No. 211 as Nguon Lak, a member of a battalion in Division 164].

840 **D1.3.5.3** List of Forces, EN 00233989; **D22.2.6** List of Forces, EN 00575529; **D59/1/1.11a** Heng Ret DC-Cam Statement, EN 00974094 ["His messengers and those in charge of radio communications have all died already"]; **D54/26** Pak Sok WRI, A3 ["Meas Mut's command office and the house he was staying were around two kilometres away from Wat Enta Nhien Pagoda. Meas Mut's house was at his working office"].

841 **D1.3.5.3** List of Forces, EN 00233989; **D22.2.6** List of Forces, EN 00575529.

842 **D1.3.5.3** List of Forces, EN 00233989; **D22.2.6** List of Forces, EN 00575529.

843 **D54/47** Em Sun WRI, A24 ["I guess that M-164 was the division' head office, where many sections such as inventory, documentation, courier, and communication sections were located"].

844 **D54/71** Mut Mao WRI, A28, 35 ["There were different buildings in the compound of the Inner Office. At that site there were a dining hall, Meas Mut's house, living quarters for messengers and others, a telegraph office, and a broadcasting office, which was located near the Two-Lions Circle [...] A35: the telephone study site was in a different building where trainees came to study telephoning, telegraphing, and broadcasting. The telephone office was in another building, but they were on the same compound"]; **D54/72** Mut Mao WRI, A30 ["The switchboard office was used by the units in Division 164 and by the division itself for calling to Phnom Penh"]; **D54/34** Ing Chhnon WRI, A2 ["There was a telegraph machine at Ta Mut's place"]; **D54/70.2** Mut Mao DC-Cam Statement, EN 01066966 ["Q: When you were at the Division Office, what did you do? A: I worked in the telephone section"]; **D54/98** Heang Ret WRI, A16, 21, 63 ["I was stationed at the radio station. I was based there and attended training sessions on how to operate the radio communications gear [...] A21: the radio station was approximately 600 metres from Wat Kraom [...] A63: when I attended military training, there was a training session about communication by telegraph and radio using secret codes"].

845 **D54/72** Mut Mao WRI, A2 ["The bodyguard or the messenger's name was Mon. These two persons always went with him. Yan and Ngoy were the radio operators"]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974094 ["Q: Besides Ta Mut, did you know [any of] his messengers or persons in charge of radio communications? A: His messengers and those in charge of radio communications have all died already [...] Q: Was Kol the only person in the division who could speak English? A: He was the person who could speak English. Another person was Sary, who died near Sisophon. His name was Sary, alias Khan"]. See **D54/48** Em Sun WRI, A15 ["Meas Mut had never talked to me directly via the radio, only Saran and Dul did. To me, both of them represented Meas Mut. When they talked with me, they passed the command from Meas Mut to me"].

846 **D114/286** Heang Reth WRI, A17 ["Office 164 was the Division office. The 103 people were staff members who were tasked with managing the communication system to the islands, daily commands to the radar, reports, forward commands to the islands and Bokor Mountain. I think it was called K -1 or Office 1 which was tasked with managing all document of the division"].

847 **D22.2.6** Report from Muth (Meas Muth), 27 Nov 1976, EN 00575529.

848 **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974085, 00974134 ["Q: When we first arrived in Kampong Som, we could not even run the vessels, so we still relied on Lon Nol troops? A: [...] the former troops stayed with us and helped us. [...] We neither knew how to manage a port through the telegraph or signal systems, nor how to manage the departure and arrival of ships there. We needed the former operational staff to manage that, and, in the meantime, we started to learn from them. Like at the radio station in Kampong Som, we used the radio station staff to work in every section"].

849 See, e.g., **D114/24** Ou Dav WRI, A68 ["The radio was on all the time. The regiment gave orders to lower units in hierarchical order"]; **D59/1.1.12** Nob Hal DC-Cam Statement, EN 00968404 ["When we saw [...] we reported to the Regiment, and the Regiment reported to the Division. Then, the Division told the Regiment what action would be taken, and the Regiment told the Battalion accordingly, and they used my group"]; **D2/10** Say Born WRI, A6 ["Speaking about the order to attack, I did not receive the order from the Division directly. The order came directly from the chief of my pursuit-vessel unit"]; **D54/33.1** Y Chhon DC-Cam Statement, EN 01073826 ["The meetings were not held regularly. Sometimes, high-ranking cadre came to meet him, and then they only relayed instructions to us low-ranking cadres"]. See also **D98/1.2.4** Craig Etcheson, T. 21 May 2009 16.05.53-16.10.53 ["The Statutes of the Communist Party of Kampuchea specifically require that each echelon of the party report regularly to its next superior echelon"]; **D98/3.1.115** Phan Van, T. 13 Dec 2012, 09.17.14-09.08.38 ["when it comes administrative communication, the report had to be done vertically -- from bottom up"].

850 **D114/13** Neak Yoeun WRI, A10 ["Regarding normal operating procedures, like in my previous explanation, communication was from the units to the battalions and finally to the division. Orders were issued from the division to the lower units. However, during this special operation, Meas Mut talked on the radio himself, and he commanded the involved units directly"].

851 **D54/87** Prum Sarat WRI, A54 ["Orders were transmitted from division to regiment, from regiment to battalion, from battalion to company, and from company directly to the personnel"].

852 **D54/25** Pak Sok WRI, A19.

853 **D114/13** Neak Yoeun WRI, A9-10 ["When he personally joined that mission, I heard him talking on the radio. [...] during this special operation, Meas Mut talked on the radio himself, and he commanded the involved units directly"].

854 **D114/19** Mak Chhoeun WRI A25 ["For example, if war ships or boats entered our territorial waters and if the regiment commander was absent, we had to report to the division directly"]; **D114/24** Ou Dav WRI, A96 ["Sometimes, they gave the order to capture immediately. However, sometimes they told us to wait as they had to ask for instructions from upper echelon"]; **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A141-142 ["If they were ordered to fight, the division sent the order directly to the ships without reporting to the regiment [...] A142: [...] But the division gave the direct orders to the fighting ships without communicating through the regiment again for the sake of speed"].

855 **D54/82** Hing Uch WRI, A9 ["Q: At Regiment 63 level of Division 164, did you receive instructions from other levels besides Division 164? A9: No, I did not. Everything I received was from Division 164"].

856 **D98/1.2.4** Craig Etcheson, T. 21 May 2009, 16.16.24-16.20.44 ["As a general rule throughout the administrative, political, and military apparatus of Democratic Kampuchea communication was strictly vertical and this was ruthlessly enforced. [...] in effect the Party Centre was the central communications node for the entire organization"]. See also **D234/2.1.52** Craig Etcheson, Written Record of Analysis, 18 Jul 2007 EN 00142834 ["The SC [Standing Committee] controlled all communications networks within the DK regime, and all communications were organized in a strictly vertical hierarchy"]; **D1.3.22.1** CPK Statute, Jan 1976, EN 00184037 [Article 6].

857 **D114/12** Neak Yoeun WRI, A22.

858 **D114/24** Ou Dav WRI, A140 ["The order came from the upper echelon. At that time, the upper echelon was only Meas Muth. Meas Muth also received his orders from his upper echelon. Sometimes, Meas Muth made decisions by himself. Meas Muth's subordinates did not dare make decisions by themselves"].

859 **D54/82** Hing Uch WRI, A21 ["The correct answer is that the daily reports sent to Division 164 were always done and sent in the evening. They could not have been done and sent to Division 164 in the morning because the other islands under the control of the regiment had to send their reports for us for check and summarize first"].

860 **D54/82** Hing Uch WRI, A20 ["Then we summarised each point, wrote the important points into the report in the order of their significance, and wrote all of the points into that one report"].

861 **D54/79** Nop Hal WRI, A19 ["I do not know. As I told you, orders to capture boats and send them somewhere were given by higher level. The orders stated clearly that we had to report every detail of our investigations on the sea of Cambodia; those orders were from higher level"].

862 **D114/19** Mak Chhoeun WRI, A26, 34 ["I reported to a radio operator in the division, who then relayed my report to the the division commanders, Ta Mut and Ta Dim. [...] A34: As the most senior commander in overall charge, Meas Mut wanted to know what happened in the division. Generally, I had to report to the regiment, and the regiment relayed the reports to him"]. See also **D114/24** Ou Dav WRI, A104 ["Yes. I

reported to the company commander, who reported to the battalion. Then the battalion reported to the upper echelon”]; **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A142 [“When their ships left on operations, the division commander ordered the regiment to prepare the ships in order to depart to conduct operations. But when the ship arrived in the middle of the sea and they encountered fighting, they had to communicate to the regiment, and then the regiment continued communicating to the division”]; **D59/1/1.12** Nob Hal DC-Cam Statement EN 00968404 [“When we saw [...] we reported to the Regiment, and the Regiment reported to the Division”]; **D59/1/4.25** Long Ly DC-Cam Statement EN 00970714 [“Q: So, when you needed something, you sent your request to Granduncle Nhan, and then Granduncle Nhan would forward it to Granduncle Mut. A: Yes, he forwarded to Granduncle Mut”]; **D54/87** Prum Sarat WRI, A60 [“I reported via telephone to Han, who in turn reported to Saroeun, and Saroeun reported to Meas Mut. This was the vertical chain of command”]; **D114/19.1** Report from Mak Chhoeun to Meas Muth, 5 Jan 1976, EN 01513939.

863 **D114/19** Mak Chhoeun WRI, A26, 34 [“I reported to a radio operator in the division, who then relayed my report to the the division commanders, Ta Mut and Ta Dim. [...] A34: As the most senior commander in overall charge, Meas Mut wanted to know what happened in the division. Generally, I had to report to the regiment, and the regiment relayed the reports to him”].

864 **D54/25** Pak Sok WRI A19 [“Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons”].

865 **D1.3.34.39** Telegram 04 from Roeun to Brother Mut, 5 Nov 1977, EN 00233656 [Roeun reports about the patrolling of the waters around Koh Kong, Koh Vai Chas-Thmei, and Koh Seh; training; and rice production]; **D114/19.1** Report from Mak Chhoeun to Meas Muth, 5 Jan 1976, EN 01513939 [Chhoeun summarises the fighting and military situation in Koh Tral in Jan 1976]; **D114/24** Ou Dav WRI, A136, 140 [“I reported through the various ranks to the upper echelons. [...] A140: When I spotted any strange situation, I reported to my upper echelon, who then reported to other upper echelons in a hierarchical order”]; **D1.3.14.2**, **D4.1.636**, **D54/10.2** Telegram 43 from Moeun to Meas Muth, 13 Jul 1977 [Moeun describes the enemy situation at Ochheuteal and Koh Rong Samloem island, criticises the conduct of one transportation worker at Ochheuteal, and requests a decision from Meas Muth on whether to take a Vessel No. 2 for repair to Ream].

866 **D54/49** Em Son WRI A44 [“Yes, I did. For example, when the battle was finished, I reported to the senior level about the results such as the number of dead and wounded soldiers”]; **D114/24** Ou Dav WRI, A142 [“When I reported to my battalion commander that fishing boats had entered our waters, the battalion commander told me that he would report this to the upper echelon”].

867 **D54/82** Hing Uch WRI A31-32 [“Normally I had to report everyday, and I wrote the capture of foreign boats as the first priority issue in the report because it was related to a capture incident [...] A32: As I remember the habit of my unit, the capture of foreign boats was considered a priority because it related to the invasion of Cambodian territory”]; **D54/34.1** Report from Sim to Division 164, 15 Sep 1977, EN 01098432 [reporting of the capture of Thai boats south of Koh Kong]; **D1.3.34.12** Telegram 12 from Dim to Meas Muth, 27 Sep 1976, EN 00897638 [Describes the arrest and confession of a 16-year-old boy]; **D114/24** Ou Dav WRI, A104 [“Q: After the capture, did you report to upper echelon about those fishing boats? A104: Yes”]; **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A156 [“When they arrested those people, they reported it to the division”]; **D54/79** Nop Hal WRI, A12 [“Yes, I saw watches and over ten gold leaves. When they were captured, all of those objects were confiscated and written into the report as well. The people, the boat, the objects, and the report were sent to Kampong Som”]; **D54/23** Pak Sok WRI, A28 [“Yes, it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance”].

868 **D1.3.14.2**, **D54/10.2** Telegram 43 from Moeun to Meas Muth, 13 Jul 1977 [Moeun describes the enemy situation at Ochheuteal and Koh Rong Samloem island, criticises the conduct of one transportation worker at Ochheuteal, and requests a decision from Meas Muth on whether to take Vessel No. 2 for repair to Ream].

869 **D114/19** Mak Chhoeun WRI, A35 [“Generally, we had to report all the details. Even if we did not complete the plan and assignment, we also had to report the truth. If the upper echelons saw that we could not complete the plan, they would revise that plan and send the plan back to us”]; **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A141 [“Before we left, they had ordered us that if this case happened, we had to return fire. When our ship left on operations, we communicated with each other via radio. Generally, when the ships left on

operations and met any situation, they had to report to the regiment, and then the regiment continued reporting to the division”].

870 **D1.3.34.15** Telegram 17 from Dim to Meas Muth, 8 Oct 1976, EN 00233659 [Dim reports about the escape of a combatant and advice from China regarding repair of ships]; **D54/87** Prum Sarat WRI, A59, 61 [“I reported to the upper level via telephone. For example, I was a ship captain. When my ship faced a problem, such as when it needed repair or more fuel, I had to report via telephone to the upper level. [...] Q: In case the ship needed food or fuel, did you directly contact logistics or any other units? A61: I had to follow the reporting system stated above”]; **D1.3.14.2**, **D4.1.636**, **D54/10.2** Telegram 43 from Moeun to Meas Muth, 13 Jul 1977 [Moeun describes the enemy situation at Ochheuteal and Koh Rong Samloem island, criticises the conduct of one transportation worker at Ochheuteal, and requests a decision from Meas Muth on whether to take Vessel No. 2 for repair to Ream]; **D54/82** Hing Uch WRI, A30 [“For example, if one of our boats was broken, they required us to report this problem and take Measures by ourselves to solve the problem in our area”].

871 **D54/82** Hing Uch WRI, A20 [“Regarding the generation of the daily reports, first we collected reports from all of the islands under the control of our regiment. Then we checked all of those reports, including health problems, other situations, and construction”]; **D1.3.34.13** Telegram 16 from Dim to Meas Muth, 6 Oct 1976, EN 00233657 [Dim reports about a radar installation, spotting of foreign ships, and the search for bandits].

872 **D1.3.34.39** Telegram 04 from Roeun to Brother Mut, 5 Nov 1977, EN 00233656 [Roeun reports about the patrolling of the waters around Koh Kong, Koh Vai Chas-Thmei, and Koh Seh; training; and rice production]
873 **D54/82** Hing Uch WRI, A20 [“Regarding the generation of the daily reports, first we collected reports from all of the islands under the control of our regiment. Then we checked all of those reports, including health problems, other situations, and construction”]; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Yes, we had to make report. When we saw someone making a mistake, we reported about him/her [to the leader] so that he/she would be called to be reeducated. If someone was sick, he/she had to report to the unit chairperson so that the unit chairperson could give him/her some medicines to take. We could not just rest at home and claimed to be sick. We stayed in the unit”].

874 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Yes, we had to make report. When we saw someone making a mistake, we reported about him/her [to the leader] so that he/she would be called to be reeducated”].

875 *See, e.g.,* **D4.1.699** Telegram 11 from Dim to Meas Muth, 24 Sep 1976, EN 00143240 [Describes the situation in Kampong Som, including the arrests of people who had fled into the jungle]. *See also* **D1.3.34.12** Telegram 12 from Dim to Meas Muth, 27 Sep 1976, EN 00897638 [Describes the arrest and confession of a 16-year-old boy]; **D1.3.34.14** Telegram 15 from Dim to Meas Muth, 6 Oct 1976, EN 00233661 [Dim reports on ships entering the maritime region, rice supplies and requests oil for the boats]; **D1.3.34.13** Telegram 16 from Dim to Meas Muth, 6 Oct 1976, EN 00233657 [Dim reports about a radar installation, spotting of foreign ships, and the search for bandits]; **D1.3.34.15** Telegram 17 from Dim to Meas Muth, 8 Oct 1976, EN 00233659 [Dim reports about the escape of a combatant and advice from China regarding repair of ships].

876 **D114/13** Neak Yoeun WRI, A20-21 [“When the Vietnamese arrived in Kampong Som, Meas Mut had already left Kampong Som. I did not know where Meas Mut was at the time; however, I knew that Meas Mut gave the command to destroy those vessels. [...] A21: I heard Meas Mut's voice on the radio; so did the others”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement EN 00974227 [“We went to Koh Kong, and we had to destroy all of our facilities. Q: What did you have to do so? A: We did not want the enemy, the Vietnamese, to use them”].

877 **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974227 [Regiment 140: “He still kept in touch through telegraphs”].

878 **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A96 [“Meas Muth was moved to the General Staff, so he ordered all of work from the upper echelon through Tim Seng; then Tim Seng controlled the work and passed on those orders. Tim Seng came to visit and control us and other soldiers on the mainland”]; **D54/98** Ret Heang WRI, A28 [“After Tim Seng was promoted to chairperson of Division 164 instead of Meas Muth in 1979 during the fierce combat with the Vietnamese [...] Meas Muth was promoted to be the Supreme Command together with Son Sen and Sou Samet”].

879 **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969944 [“Q: when the division received orders or had new plans, how did they relay those orders or plans? A: Sometimes the orders were relayed via communication radio”]. *See also* **D1.3.27.1** CPK Standing Committee Minutes, 9 Oct 1975, EN 00183401-02

["Radio communications: Have the task - To serve immediate needs - Serve wartime needs - Spy on the enemy - Required manpower 1,500 persons"].

880 **D22.2.181** Stony Beach Report, EN 00249694 ["During the Mayaguez incident, the Division had C-25 radios based on Tang Island and Ream"]; **D114/285** Bun Sarath WRI, A26 ["When they arrived [in Kampong Som], the division [3] set up a station. The battalion set up a station. All units had radio communications and other communication systems"]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387463 ["The 3rd division communication center was in a concrete house in O Kambot (not found on available maps, possibly a section of Kampong Som City). The division also had a radio station at the Kampong Som port and other at Ream"].

881 **D114/285** Bun Sarath WRI, A124 ["In general, the division office had a radio communication headquarters. For that headquarters, I refer to the radio communication operator. There were two to three people depending on the actuality and depending on the amount of work required"].

882 **D1.3.5.11** Prisoner List, *List of People Implicated in Enemy Confessions*, EN 01148995 [identifying No. 16 as Keng, listed as "In charge of radio communications of the Division"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963740 ["Q: Who was the radio operator at the Division Headquarters? [...] A: It was brother Kol and then Chhun Ly or Phally who I don't know well"].

883 **D59/1/1.11a** Heng Ret DC-Cam Statement, EN 00974094-95 ["Q: When did Kol, who could speak English, die? A: I cannot remember. People were removed to different places, so I did not know about that. Q: Has he disappeared since the three-year regime? A: Yes, he has disappeared since that regime [...] Q: After Kol died, was Sary in charge of radio communications? A: Yes"].

884 **D114/13** Neak Yoeun WRI, A5, 7 ["At the level of Division 164, Phal was in charge of the radio section. Phal was the personal messenger of Meas Mut. He was in charge of the radios. [...] A7: Usually Phal accompanied Meas Mut. When Meas Mut attended any major meetings or training courses, Phal always accompanied him"]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088463, 01088466 ["When the PCF went to take Phal the Division messenger, were there any other persons coming with Phal? A: There were other persons going with Phal. [...] At that time if there were anything happening, Phal would radio my ship. [...] Phal was at Ta Muth's place"].

885 **D54/72** Mut Mao WRI, A2 ["Yan and Ngoy were the radio operators"].

886 **D114/13** Neak Yoeun WRI, A5 ["When Phal received a report on the radio, he had to write it down in a report and send it to Meas Mut, the division commander. Then Meas Mut gave commands to Phal, and Phal referred the commands from division to the relevant units on the radio"]; **D54/48** Em Sun WRI, A14-16 ["At first I talked on the walkie-talkie to the radio operators. Saran and Dul. I told them that I wanted to talk to 63/Meas Mut; then 63/Meas Mut/63 talked to me on the radio and he ordered me to bring him the two alive American soldiers. [...] In fact, Meas Mut had never talked to me directly via the radio, only Saran and Dul did. To me, both of them represented Meas Mut. When they talked with me, they passed the command from Meas Mut to me. [...] When I talked on the radio to the representatives, I reported to them about the American soldiers. The radio operators made a report and sent it to Meas Mut; then Meas Mut laid out an order to me through the radio operators, and the operators forwarded Meas Mut's command to me via the radio"]; **D114/13** Neak Yoeun WRI, A11 ["Meas Mut issued commands too, but Phal communicated those commands by radio to the units involved"]; **D114/19** Mak Chhoeun WRI, A27 ["Ta Mut rarely gave instructions via radio. Most of the time he had the radio operator relay instructions to us, or he sent the instructions by telegraph. I remember that, at that time, Brother Dim communicated via radio more frequently"]; **D54/29** Liet (Nam) Lan WRI, A3 ["About a month or two [later], a radio operator contacted me telling me Meas Mut wanted to see me at his home. When I arrived at the port, a motorbike was already there waiting for me"].

887 **D54/48** Em Sun WRI, A11-13 ["Q: How did you know that you talked on the two-way radio with Meas Mut? A11: I recognised his voice because I had known him for a long time, and his radio number was 63 and mine was 42. [...] For the two-way radio, we used only numbers to communicate. For example when I called to Meas Mut on the two-way radio I said 63 from 42. A13: I still remember some two-way radio numbers such as Moeun's number was 24 and Thean's number was 32"].

888 **D54/48** Em Sun WRI, A19 ["In case that Meas Mut was absent, Tim Seng or Nget took responsibility on his stead, but they had their own radio number. Meas Mut had the radio number 63"].

889 **D22.2.6** List of Forces, EN 00575529. *See also* **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249694 ["During the Mayaguez incident, the division had C-25 radios based on Tang Island and Ream"]; **D114/285** Bun Sarath WRI, A26 ["When they arrived [in Kampong Som], the division [3] set up a station. The battalion set up a station. All units had radio communications and other communication systems"].

890 **D54/79** Nop Hal WRI, A8 ["I was the person who piloted that boat and used the radio to communicate with my regiment. I reported progress and arrival at destination. In such times, they always kept their radios on in order to communicate"]; **D114/11** Neak Yoeun WRI, A9-10, 12 ["I learned about the capture of those Vietnamese fishing boats through radio communication, and they communicated with one another by light signals when they captured the boats. They used light signals to inform one another about the capture of the boats. Later they communicated with one another by radio to provide more information about the boats. [...] A10: The PGP boats communicated by radio with the radio operators on the ship in which I worked. [...] A12: We all worked closely to defend the Cambodian maritime waters"]; **D114/11** Neak Yoeun WRI, A11 ["As far as I understood, we cooperated with each other. PGP boats were smaller than my ship and were responsible for capturing fishing and smuggling boats and guarding the border of our territorial waters. My ship was responsible for dealing with bigger problems, such as combat against military ships"].

891 **D54/48** Em Sun WRI, A22-23 ["Q: When you were on Koh Tang Island, did you often report to Meas Mut? A22: When I was on Koh Tang Island, I communicated with the shore [headquarters] regularly on the radio from the morning to night. [...] A23: There was no definite introduction about the radio usage. The radio was regularly turned on. If a radio device got too hot, it would be turned off, and another new one was turned on instead"]; **D54/87** Prum Sarat WRI, A138-139 ["When they were arrested, they reported via communication radio from the islands to the division. [...] In cases of reporting, when Meas Mut was at the Office, they would report to him directly. But when he was not around or was absent, they reported to person acting for him"].

892 **D54/47** Em Sun WRI, A48.

893 **D54/87** Prum Sarat WRI, A141 ["They reported via communication radio, and the people at the communication radio location would enter the record into the daily lo[g], no matter what information it might be, so that it could be sent to Meas Mut"].

894 **D114/24** Ou Dav WRI, A66 ["On each boat there was an American radio system, C-25, C-27, or C-28"]; **D54/79** Nop Hal WRI, A21 ["Q: when you worked as a motor boat driver and worked on the islands, how often did you hear of boat captures via the radio? A21: I could hear reports about boat captures only once in a long while because the radio antenna which was connected to my motor boat was short"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974223 ["The vessels were equipped with Chinese radio communication channel while the islands and division used the American ones"]; **D54/48** Em Sun WRI, A26 ["After my radio was broken, I contacted Meas Mut directly via the radio on the Ship SPS when that ship arrived (at Koh Tang Island)"].

895 **D114/285** Bun Sarath WRI, A179, 182 ["Q: Did ship units have to report to the upper level daily? A179: Yes, they did. They reported to through radio communication to the headquarters. They had to report about the important technical work to the regiment daily. [...] A182: If the regiment was not present, I sent the report directly to the division"].

896 **D4.1.762** Kam Men US POW/MIA Statement, EN 00387330-31 ["Deployment to Tang Island [...] The 50-man unit was armed with [...] one C-25 radio"]; **D4.1.757** Unknown DK Cadre US POW/MIA Statement, EN 00387365 ["When source arrived on the island, the battalion radio station was on the southern end of the eastern beach. The battalion had a C-25 radio"]; **D114/132** Mao Ran WRI, A57 ["On the island there were radios"]; **D54/47** Em Sun WRI, A13 ["We used VHF-46 to handle our communication between Koh Tang Island and Kampong Som. The communication range of C-25 was 25 kilometres"]; **D54/100** Lay Boonhak WRI, A156-157 ["When they arrested those people, they reported it to the division, so I heard them talking via the Type 25 transceivers used the same frequencies [...] A157: Generally, the soldiers who were guarding the islands arrested them and reported it"]; **D114/283** Ek Ny WRI, A54 ["In the regiment [on Koh Tang], they set up a big radio communication device, not the C-25 one. They used the big one which could be used to communicate with the division on the seashore"]; **D114/146** Uy Nhoek WRI, A33-34 ["Q: When you worked on the island, what did you use to communicate with the naval headquarters? A33: We used radios, American T-25 radios with attached antennas. [...] The radios were kept at the headquarters for communicating with other places far from the island"]; **D114/19** Mak Chhoeun WRI, A29 ["The two headquarters of my battalion, one of which was on Koh Thnuei Island and the other of which was on Koh Seh Island: each headquarters was equipped with one C-25 radio"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974223 ["There was radio communication, but the communication channel on the islands and the headquarters were different frequencies. There were different lines. Q: You could not contact each other? A: Well, there was a common line. However, my radio communication channel was different from the American one"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963723 ["Later, I was working as a telephone

operator and assistant to Regiment commander. A: What was the kind of your telephone? [...] A: We had two kinds: C-25 and C-46. Q: Did you often hear telephone conversations by someone from the island? A: Yes”]; **D1.3.13.11** Sieng OCP Statement, EN 00217565-66 [“He was generally stationed on small islands off Koh Rong near the Thai border. [...] When the regiment had to move, they were advised by radio - American Walkie-talkies which had been captured in 1975”].

897 **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963740 [“Q: Who was the radio operator at the Headquarter of Regiment 140? A: We had two operators but both of them had died. Q: What are their names? A: Chamraeun and Sary but they had died”].

898 **D2/15** Touch Seouli WRI, A18 [“The medic and the radio communication operator stayed in the far west room [of Wat Eng Tea Nhien pagoda]. Next to it was the room of the commander, and the third room next to that was the room in which I, the messenger, stayed. At that time, the commander, the medic, the radio operator, and the messenger stayed next to each other”]; **D54/88** Soem Ny WRI, A11 [“In front of my long bean plantation there was a four-way junction with a road leading to Wat Enta Nhien Pagoda. After turning onto that road, there was a guard post manned by Khmer Rouge soldiers. Behind that guard post was the Kampong Som radio station”]; **D1.3.13.13** Touch Souley (Soeuli) OCP Statement, EN 00217575 [“The witness stated that he stayed at the Wat [Wat Eng Tha Nhien] in 1975 when he was training and later moved elsewhere. He stated that he installed a radio there which was moved to Ocheteal later on”]; **D114/98** Sieng Koy WRI, A44 [“Q: You said that you had traveled from Launh’s house to the lake. After leaving from Launh’s house, you traveled pass the radio station before you walked on to reach the lake, and the Pagoda was on the left side. Is it correct? A44: Yes, it is correct”]. See also **D114/46** Wat Enta Nhien Security Center and related sites Kampong Som – Phsar Leu Site ID Report, EN 01065190 [“Witness [...] explains that the old broadcasting station was behind the location of the current days purple house”].

899 **D1.3.13.13** Touch Souley (Soeuli) OCP Statement, EN 00217575 [“The witness stated that he stayed at the Wat in 1975 when he was training and later moved elsewhere. He stated that he installed a radio there which was moved to Ocheteal later on”].

900 **D54/48** Em Sun WRI, A23 [“The radio was regularly turned on. If a radio device got too hot, it would be turned off, and another new one was turned on instead”].

901 **D54/47** Em Sun WRI, A12-13 [“Q: What means of communication did you use to report to Meas Mut? A: I reported to him by radio. I used C-25 or VHF-46 radios. Q: What was the range of communication of VHF-46? A: We used VHF-46 to handle our communications between Koh Tang Island and Kampong Som. The communication range of C-25 was 25 kilometres”].

902 **D114/286** Heang Ret WRI, A19 [“There were only sections such as the telegram section and the documentation and communication section. [...] The telegram section was to receive messages from subordinates and submit them to the higher ranks”]; **D114/95** Yoem Sroeung WRI, A92 [“Radar was used to detect any object floating on the water or detect anything else. The telegraph was used for receiving and transmitting various messages”]; **D54/82** Hing Uch WRI, A29 [“As I know it, in my unit when a telegraph was transmitted they actually received it, because after pressing “send” sounds were sent back and forth indicating it had been transmitted. Furthermore, there was no case in which a telegraph was not transmitted”].

903 **D54/71** Mut Mao WRI, A35 [“No, the telephone study site was in a different building where trainees came to study telephoning, telegraphing, and broadcasting”].

904 **D54/72** Mut Mao WRI, A42 [“Meas Mut rarely used the telephone; most of the time he used telegraph”]. See also **D114/19** Mak Chhoeun WRI, A27 [“Ta Mut rarely gave instructions via radio. Most of the time he had the radio operator relay instructions to us, or he sent the instructions by telegraph. I remember that, at that time, Brother Dim communicated via radio more frequently”]; **D54/88** Soem Ny WRI, A29 [“I knew that because my commander was in contact with Meas Mut by telegraph. This was in December 1978”]; **D54/87** Prum Sarat WRI, A58 [“Q: Regarding the instructions or orders you have just confirmed, were they made from the division to regiment and battalion via telephone, fax, or letter? A58: The orders were made via telegram and telephone”]; **D54/29** Liet (Nam) Lan WRI, A3 [“About a month or two [later], a radio operator contacted me telling me Meas Mut wanted to see me at his home. When I arrived at the port, a motorbike was already there waiting for me”]; **D54/87** Prum Sarat WRI, A58 [“The orders were made via telegram and telephone”]; **D54/34** Ing Chhon WRI, A2 [“There was a telegraph machine at Ta Mut’s place [...] When the telegraph operators there received any orders from Ta Mut’s place, those telegraph operators sent those orders to the ship commanders”].

905 **D54/100** Lay Boonhak WRI, A124, 126-127 [“At Ou Chheu Teal, there was a telegraph office. On the island, they had a telegraph on the ship. When they received telegrams, they would send those telegrams to the

commander on the island. [...] A126: [...] When they sent telegrams there, the person responsible for sending telegrams would bring those telegrams to a commander in that big room. When the commander wanted to send telegrams, he had to go to that big room, and then the messenger brought the telegrams to the soldier responsible for the radio to transmit. Q: Did you know the name of the messenger who brought telegrams to the commander in that big room? A127: The messenger's name was Sari. Chamreun was the telegram receiver and sender from the radio and telephone. All of them are dead; only I survived"].

906 **D114/95** Yoem Sroeng WRI, A125, 242 ["Q: You said that the navigation section was responsible for the telegraph and radio-telephones: do you know their names? A125: There was Peak, who was responsible the helm. The radio-telephone operator was Phoeun. The person responsible for the telegraph was Rath. The person responsible for signalling was Ran [...] A242: Those machines were all Chinese-made and were installed in each ship. Some ships had one, and some had two"].

907 **D54/82** Hing Uch WRI, A19 ["Q: [...] Telegraphs 15, 16, and 17 were sent during just two days in 1976. [...] can you tell us about the duty to send routine daily reports from the regiment to the division? A19: Normally, at my level I had to send a report once a day in the evening. The report was sent to the division to summarize the work on all the islands"].

908 **D54/82** Hing Uch WRI, A1 ["This telegram is similar to the document you showed me yesterday. I would like to clarify that they used the telegraph because it was secret work, different from using the radio-telephone. It was not easily intercepted like the radio-telephone"]; **D54/100** Lay Boonhak WRI, A123 ["Q: What did you hear via radio about soldiers who were sent to the mainland? A123: The secret work was not announced on the radio. They always sent telegrams about all secret work. They had a telegram team. I saw their telegraph as well. They used a secret code. Therefore, even if I had seen those telegrams, I could not have read them"].

909 **D54/82** Hing Uch WRI, A10, 25-26 ["In my experience, this was an important telegram because it related to killing, and such messages were communicated via telegraph because they were secret. It related to bombings, and they did not radio-telephones for this kind of work. [...] A25: [...] urgent telegrams were the highest priority because when there was a serious situation in a unit, it was necessary for them to be able to send an urgent message regardless of the time. That was an order. If we did not respect an order, we were held personally responsible. Urgent telegrams like this were infrequent. [...] A26: Examples of urgent telegrams are piloting a boat and having an accident on the way, travel of cadres to study in Kampong Som City, and events that impacted life and death"].

910 **D54/34** Ing Chhon WRI, A2 ["There was a telegraph machine at Ta Mut's place. There was another telegraph machine at the former royal residence near Koh Kong Port. When the telegraph operators there received any orders from Ta Mut's place, those telegraph operators sent those orders to the ship commanders. The telegraph operators worked in their office near the port"].

911 **D54/71** Mut Mao WRI, A35, 37 ["The telephone office was in another building, but they were on the same compound [...] A37: When we organized meetings once every three days or, sometimes once a week, each team in the Inner Office reported to Keng, and Keng reported to others whom I did not know"].

912 **D54/100** Lay Boonhak WRI, A74 ["The telephones were only used for communication between division commanders and regiment commanders"]; **D54/87** Prum Sarat WRI, A58 ["Q: Regarding the instructions or orders you have just confirmed, were they made from the division to regiment and battalion via telephone, fax, or letter? A58: The orders were made via telegram and telephone"].

913 **D54/71** Mut Mao WRI, A34-35 ["There were 12 women working in the telephone section [...] A35: the telephone study site was in a different building where trainees came to study telephoning, telegraphing, and broadcasting"]; **D54/72** Mut Mao WRI, A28 ["I was in fact taught by the Chinese [...] At first, they taught theory; then they taught how to repair the telephone. For example, if it was out of order a little bit because of the lightning, we could repair it"]; **D54/70.2** Mut Mao DC-Cam Statement, EN 01066966 ["Q: When you were at the Division Office, what did you do? A: I worked in the telephone section. Q: Were you trained to use the telephone? A: I was trained for half a year. Q: Who were the instructors? A: The Chinese. Q: Did they train you at the Division Office? A: Yes! [...] Q: When you were being trained by the Chinese, how many trainees were there? A: I was a young girl. There were 12 of us. Q: 12 young girls? A: Yes!"], EN 01066968 ["I worked there until 1979"].

914 **D54/72** Mut Mao WRI, A42 ["Each telephone line had a code number. For example, if someone called in and said to connect to extension 18, I put in the plug 18 for that person. I forget Meas Mut's extension number, but I remember that Meas Mut's extension number started with 0. In fact, Meas Mut rarely used the telephone; most of the time he used telegraph"].

- 915 **D54/72** Mut Mao WRI, A42, 45 ["Q: When the battalion commanders wanted to speak to the commander of Division 164, Meas Mut via telephone, how did they do that? A42: Each telephone line had a code number. For example, if someone called in and said to connect to extension 18, I put in the plug 8CU 18 for that person. I forgot Meas Mut's extension number, but I remember that MEAS Mut's extension number started with 0. [...] Q: Did Meas Mut have a telephone line at his house? A45: Yes, he did."]
- 916 **D54/72** Mut Mao WRI, A43 ["Because Meas Mut sent his messenger to come to the switchboard office to telephone."]
- 917 **D54/87** Prum Sarat WRI, A59 ["I reported to the upper level via telephone. For example, I was a ship captain. When my ship faced a problem, such as when it needed repair or more fuel, I had to report via telephone to the upper level."]; **D54/72** Mut Mao WRI, A29-31 ["The switchboard office was used by the units in Division 164 and by the division itself for calling to Phnom Penh. [...] A31: The telephone line of this switchboard office was used by only the units under Division 164."]
- 918 **D114/215** Meas Im WRI, A75-76 ["Q: How did your older brother communicate with Mienh, by what means? A75: They communicated via field telephone and telegram. Q: How did you know? A76: As I was there at Mienh's house. I lived near Mienh's house and I saw such equipment"].
- 919 **D1.3.5.3** List of Forces, EN 00233989; **D22.2.6** List of Forces, EN 00575529.
- 920 **D54/72** Mut Mao WRI, A39, 41 ["Each battalion of Division 164 had their own telephone network, but this telephone network was only used for communication inside Kampong Som, not for connecting to the islands. [...] Only the battalion commanders had the right to use it"].
- 921 **D54/72** Mut Mao WRI, A33 ["I do not remember if there was the telephone line from Kampong Som to Kampot; but there was the telephone line from Kampong Som to Bokor"].
- 922 **D54/72** Mut Mao WRI, A43-44 ["Meas Mut sent his messenger to come to the switchboard office to telephone. [...] A44: There was no habit of making regular reports by telephone. The telephone network was used only when there was a need"].
- 923 **D54/72** Mut Mao WRI, A1-2, 7 ["Q: [...] how many messengers were in the messenger unit of Meas Mut? A1: I saw only two to four messengers who were always with him. When he went to a place nearby, he brought one driver and one bodyguard with him. When he went to distant places, he brought one driver, one radio operator and two other persons – a bodyguard and a messenger. Q: Can you tell us the names of Meas Muth's messengers and driver? A2: The driver's name was Kung. The bodyguard or the messenger's name was Mon. These two persons always went with him. [...] A7: [...] The messenger team was the team who worked nearby and close to Ta Mut all the time"]; **D114/103** Liet Lan WRI, A134-135 ["Q: How did he travel to Phnom Penh? A134: He went there by Jeep. Q: Who went with him? A135: He went with a messenger, a small boy, and this messenger was his driver"]. See also **D54/87** Prum Sarat WRI, A57 ["Q: Do you know if Meas Mut, his deputy, his assistant, his messenger, or his driver are alive? A57: [...] I never met his assistant or messenger or driver after the fall of the regime"].
- 924 **D54/72** Mut Mao WRI, A7 ["The messenger team was the team who worked nearby and close to Ta Mut all the time"].
- 925 **D54/72** Mut Mao WRI, A1-2, 7 ["Q: [...] how many messengers were in the messenger unit of Meas Mut? A1: I saw only two to four messengers who were always with him. When he went to a place nearby, he brought one driver and one bodyguard with him. When he went to distant places, he brought one driver, one radio operator and two other persons – a bodyguard and a messenger. Q: Can you tell us the names of Meas Muth's messengers and driver? A2: The driver's name was Kung. The bodyguard or the messenger's name was Mon. These two persons always went with him. [...] A7: [...] The messenger team was the team who worked nearby and close to Ta Mut all the time"].
- 926 **D114/13** Neak Yoeun WRI, A7 ["When Meas Mut attended any major meetings or training courses, [his messenger] always accompanied him"].
- 927 **D114/13** Neak Yoeun WRI, A5, 7 ["At the level of Division 164, Phal was in charge of the radio section. Phal was the personal messenger of Meas Mut. He was in charge of the radios [...] A7: [...] Usually Phal accompanied Meas Mut. When Meas Mut attended any major meetings or training courses, Phal always accompanied him"]; **D54/72** Mut Mao WRI, A2 ["Q: Can you tell us the names of Meas Muth's messengers and driver? A2: The driver's name was Kung. The bodyguard or the messenger's name was Mon. These two persons always went with him"]; **D114/103** Liet Lan WRI, A134-136 ["Q: How did he travel to Phnom Penh? A134: He went there by Jeep. Q: Who went with him? A135: He went with a messenger, a small boy, and this messenger was his driver. [...] Q: What is the name of the [Meas Muth's] messenger? A136: Kung"]; **D114/15** Sok Vanna WRI, A16 ["I only know a person named Ieng, who was Meas Mut's personal

messenger”]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088463 [“When the PCF went to take Phal the Division messenger, were there any other persons coming with Phal? A: There were other persons going with Phal”], EN 01088466 [“At that time if there were anything happening, Phal would radio my ship. [...] Phal was at Ta Muth’s place”].

D114/13 Neak Yoeun WRI, A5-6 [“At the level of Division 164 Phal was in charge of the radio section. Phal was the personal messenger of Meas Mut. He was in charge of the radios. [...] A6: [...] We realised that Phal was a messenger, an aide and radio operator for Meas Muth”].

D114/13 Neak Yoeun WRI, A5 [“When Phal received a report on the radio, he had to write it down in a report and send it to Meas Mut, the division commander. Then Meas Mut gave commands to Phal, and Phal referred the commands from division to the relevant units on the radio”].

D22.2.181 Meas Muth US POW/MIA Statement, EN 00249694-95 [“Meas Mut did not know the designations of any unit below regiment level. Each unit within the division had a small messenger detachment of about 10 men [...] – ((Rin)) – Chief of Division Messenger Service”]; **D54/49** Sun Em WRI, A48 [“When I joined the division, I reported directly to Meas Mut because there was no regiment between my Battalion 450 and Meas Mut. I reported to Meas Mut about the result of Meas Mut’s orders. During that time there was no official reporting system. Generally the report was done via two-way radio or messengers”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A25-26 [“I left Battalion 450 and moved to stay in Au Chheu Teal joining the newly formed unit which later became the marine unit. During that time I stayed on the east part and sometimes on the west part of Au Chheu Teal. Until 1976 perhaps in January, February or April, there were warships arriving. [...] Q: When you went to receive those vessels, what did they have you do? A26: I was still the messenger. The commander, medic, radio operator and the messenger stayed in a house on the hill together”]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 [“When the regiment had to move, they were advised by radio – American Walkie-talkies which had been captured in 1975. Some messages were passed by radio, others by the unit messengers [...] Each unit had a number of messengers attached, usually 3 or 4 who were also the bodyguards of the unit chief”]; **D59/1.1.12** Nob Hal DC-Cam Statement, EN 00968380-81 [“Q: When you were on Koh Tang, were you ... ? A: A messenger [...] Yes, a messenger of Ta Nhan”], EN 00968385 [“Q: Was it like that the Battalion Committee had one messenger? A: One messenger. Sometimes there were two messengers. Sometimes there was one messenger. It was irregular”].

D22.2.6 List of Forces, EN 00575529.

D1.3.5.3 List of Forces, EN 00233989; **D22.2.6** List of Forces, EN 00575529.

D1.3.13.11 Sieng OCP Statement, EN 00217566 [“Messages could be either oral or written. [...] Important messages were always sent with the messengers”].

D114/24 Ou Dav WRI, A47 [“Q: When you arrived in Kampong Som, did they hold meetings to tell you what to do? A47: Yes. They held meetings to tell us about the defence of the territorial waters”].

D54/34 Ing Chhon WRI, A40 [“I would like to clarify that I was just an ordinary soldier who attended meeting with other soldiers, meetings over which Ta Mut presided.”]

D59/1.1.7a Ma Chhoeun DC-Cam Statement, EN 00969944 [“Sometimes the orders were relayed via communication radio. In other cases we were called to attend meetings or trainings where the orders were raised. Mostly the plans were for us to defend the islands, sea waters and territory”].

D114/19 Mak Chhoeun WRI, A17 [“I joined the meetings at the battalion level, and there were different kinds of meetings. Sometimes, the meetings were plenary meetings attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164”].

D54/79 Nop Hal WRI, A23 [“A meeting was held once in a long while at both the battalion and regiment levels. A meeting took place once a month or once every two months. The motor boatpilots were advised to take good care of the motor boats. I do not remember whether or not they advised us to treat the Vietnamese and the Thais differently. In the meetings, they always told us to report to them anything that entered Cambodian territorial waters”]; **D114/19** Mak Chhoeun WRI, A12-14, 16-18 [“I went to attend meetings once a month or sometimes once every two months. The meetings were not held regularly. We went there only when there were special meetings [...] A13: [...] in those meetings, they spoke about a wide range of issues. As a soldier, I focused on only the issues related to the military such as national defence, country defence, country construction, and territorial waters, guarding in order to look for fishing boats or other boats which entered our territorial waters, and on swimming training. [...] A14: I joined the meetings in Kampong Som [...] A16: [...] Sometimes Ta Dim chaired the meetings, and sometimes Ta Mut chaired the meetings. [...] A17: I joined the meetings at the battalion level, and there were different kinds of meetings. Sometimes,

the meetings were plenary meetings attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164 [...] A18: They instructed us that if we saw fishing boats enter our territorial waters but remain close to the maritime borderline, we should not do anything; but if those boats came deep inside our territorial waters and remained inside them for long, we should attack them immediately. Such incidents frequently occurred in my area”]; **D54/88** Soem Ny WRI, A14 [“They were different. The monthly meeting held at Phsar Leu Market was attended by the commanders from all the islands. The monthly meeting at Stueng Hav was held to discuss the construction of the military pier”]; **D114/65** Chet Bunna WRI, A10-11 [“At that time regularly they organized a big assembly for the soldiers every trimester, and in that assembly they introduced to us that Meas Muth was SON Sen's deputy [...] A11: Sometimes the regiment commander was the announcer during the assembly. During the assembly they also spoke about defending the sea and the maritime borders which was about 400 kilometers long, and about defending the nearly 200 islands of Cambodia. Also, they spoke about the works of country defense against the invasion of the neighboring countries, and about the plan to take back the Koh Tral Island and the Kampuchea Krom. For the practical works, they called the battalion commanders to go to study in Phnom Penh”]; **D114/132** Mao Ran WRI, A172 [“Q: Did you attend the logistics meeting on 19 September 1976 chaired by the division commander and the regiment commanders? A172: This was a big, substantial meeting”].

939 **D114/19** Mak Chhoeun WRI, A12, 16-17 [“I went to attend meetings once a month or sometimes once every two months. The meetings were not held regularly. We went there only when there were special meetings [...] A16: [...] Sometimes Ta Dim chaired the meetings, and sometimes Ta Mut chaired the meetings. [...] A17: I joined the meetings at the battalion level, and there were different kinds of meetings. Sometimes, the meetings were plenary meetings attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164”].

940 **D54/10** Meu Ret alias Meu Sareth WRI, A13 [“I used to see him organize meetings with all his regimental commanders. As far as I knew, he called all the commanders to the meetings for work planning”]; **D54/17** Say Born WRI, A6 [“The meetings of regimental- level chairmen were held in Meas Mut's headquarters”]; **D54/31** Soem Ny WRI, A5 [“At the time the divisional headquarters and the divisional commander's house were together. Commanders of each regiment came to join meetings there every month on the 10th, 20th, and 30th days of each month”]; **D54/84** Sim Ny WRIA, EN 00985278 [“Witness describes the command center of Meas Muth (MM) was Regular meetings were held on the 10th, 20th and 30th of every month between MM and commanders of the division at the command center”].

941 **D114/297.1.39** Ieng Phan, T. 31 Oct 2016, 11.25.46-11.27.25 [“Regarding the relationship between the commander of a division and commanders of brigades, we usually met every three days because we had to know about the various plans, the attack plans, the ammunitions and logistics, amongst other matters”]; **D114/208** Long Phansy WRI, A22, 25 [“I reported to them [regiment chiefs] when I attended monthly meetings. My task in Battalion 612 was focused on construction, so I had to make reports only during the meetings [...] A25: It was only me who attended the meetings which were held on a daily basis or once every three days. I met with company chiefs before attending meetings with the regiment chiefs”]. *See also* **D54/106** Sann Kan WRI, A20-21 [“Q: During the technical training did they include political session? A20: No they did not but there was a meeting once in every three days. During the meetings they told us to try hard to study and not to be lazy. Q: Once in every three days there was a meeting. Who chaired that meeting? A21: The group chief called us to attend the meetings”]; **D98/3.1.28** Chhouk Rin, T. 23 Apr 2013, 10.13.10-10.14.51 [“There were meetings. For example, there were meetings every three days. So, this is why we were afraid. We were afraid of making mistakes”].

942 **D114/24** Ou Dav WRI, A91 [“I learned about orders from the upper echelon when the battalion called the company and platoon commanders to attend meetings. During the meetings, they said the order came from the Party, meaning the upper echelon. ‘The Party’ referred to Meas Muth”]; **D114/127** Ou Kim WRI, A49, 51 [“Q: In your previous interview with the Documentation Center of Cambodia, you said that you saw Meas Muth come to the island. Can you provide any further explanation? A49: I do not remember how many times he came, but I saw him [Meas Muth] come and attend meetings on the islands many times. The meetings were attended only by battalion, company, and platoon commanders. Ordinary soldiers like me, were not allowed to attend [...] Q: Where were the meetings held? A51: At the battalion headquarters”].

943 *See, e.g.,* **D114/95** Yoem Sroeung WRI, A216 [“Q: When they provided political training, where did they conduct it? A216: Mostly it was held at Ou Chheu Teal Beach, Kampong Som Market, and Kampong Som Cinema”]; **D114/132** Mao Ran WRI, A63-64, 66, 69, 72 [“The training was conducted when we were

gathered together. It was organized by Meas Muth. The instructors included Meas Muth and one of his deputies [...] A64: We studied at the Phsar Leu Cinema Cinema [...] A66: They instructed us in military procedures and discipline [...] A69: He talked about the Vietnamese army wanting to seize Cambodian territory. He told our troops to defend in particular locations bordering Vietnam [...] A72: A total of 500 or 600 personnel attended the study meeting”; **D114/48** Sok Ngon WRI, A14 [“When I first arrived in Kampong Som, I was sent to receive naval training there. Sometimes we were sent to receive naval training at Ou Chheu Teal”]; **D114/103** Liet Lan (Nam Lan) WRI, A128-30 [“Q: Who organised study sessions? A128: Meas Muth. Q: During study sessions, about what did he speak? A129: I spoke about many matters. He reviewed the monthly and annual plans. Q: Can you tell more of what he said during the meetings? A130: I do not remember well, but I remember that he spoke about the situation of some units”]; **D54/33** Ing Chhon WRI, A16-18 [“I joined the training by Ta Mut for half a month. During the training they recorded our biographies. [...] A17: There they taught us many things. It was political training [...] Q: Why was Meas Mut the instructor? A18: Because he was commander of Division 3”]; **D54/100** Lay Boonhak WRI, A31 [“They set up a political course once a year in late December. They selected Party Members and the Youth League to attend political education. Each course took one week or 15 days. On the course, they taught us about building up forces, re-fashioning oneself, and the ideology of the Communist Party of Kampuchea. On each course, about 300 persons participated. [...] Then in the evening, they gave training on military customs”]; **D54/17** Say Born WRI, A6, 8 [“In 1975, the hall was used for political training and for political meetings of battalion chairmen/deputy chairmen, company chairmen/deputy chairmen, and lower-echelon chairmen - the so-called cadres [...] A8: Because I also attended the study sessions. I attended once every year [...] The political commander, meaning Meas Mut, had to teach political affairs, ideology, and organization. The military commander, meaning Dim, had to teach military combat techniques; the logistics commander, meaning Chhan, was responsible for weapons and equipment, food supply, and healthcare. During the closing sessions, Meas Mut acted as the presiding secretary summarizing the results of the study session, examining life views, and providing additional guidance at the end of the session”]; **D114/139** Nguon Lay WRI, A54 [“They organised these events at different places. They were like workshops. Mostly, they held these events at the end of December, before the soldiers were sent to fight in the war”]; **D114/58** Som Soam WRI, A26 [“Q: In the study session that Meas Muth attended did he or other speakers talk about the situation of the enemies including the internal and external enemies? A26: Yes, they did. [...] They talked about KGB, the Vietnamese spies and so on”]; **D54/45** Lon Seng WRI, A1-3 [“all the regiment commanders in Division 164 attended that meeting [...] Q: Was the chief of the division the only person in charge of making announcements in the training meeting? A2: Yes, only the chief of the division, Meas Mut, could make announcements in that meeting [...] A3: This kind of leader-level meeting lasted for three days. It started from 7.30 a.m. to 11.30 a.m. and from 13.30 p.m. to 16.30 p.m. Such meeting among cadre leaders was extremely tough”]; **D54/44** Lon Seng WRI, A2 [“During wartime, training methods were different from those used during peaceful period. During wartime, there were meetings and training courses to instruct soldiers to be brave [...] During the non-war period, they trained soldiers to have a good conscience and to focus on production work”]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217574 [“The witness stated that Meas Mut called training once a year, at the end which was held in the former cinema hall. The subjects of the meetings included strengthening and expanding the revolution, along with political issues concerning Vietnam and Thailand, along with self criticism sessions”]; **D54/33.1** Y Chhon DC-Cam Statement, EN 01073809 [“Ta Mut was the teacher. The training sessions were held at the cinema in Kampong Som”].

944 **D54/100** Lay Boonhak WRI, A45-46, 48 [“They arranged meetings in two parts: 1. Internal Party meetings attended by Party Members and the Youth League held once a month. 2. Ordinary work meetings held once a month. [...] A46: They met about general work. Members in each unit had to criticise each unit chairperson. Each unit chairperson was the example for other members in the team. A48: [...] what they mentioned were events inside and outside the country. The external events were the conflicts with the Vietnamese”].

945 **D54/98** Heang Ret (Hieng Reth) WRI, A41-42 [“Q: From the time you stayed and worked in Kampong Som until the time Meas Muth was sent to the border of Cambodia and Vietnam, did you meet him often? [...] A42: I met Meas Muth once a week in the navy training sessions because Meas Muth came to chair the meetings and share his experience with the Navy in the training courses with the Chinese experts”]; **D54/87** Prum Sarat WRI, A39-40 [“I never went to the Division Headquarters, but I used to attend meetings organised by Division 164 at Ou Chheu Teal Beach [...] Q: Was the training conducted often? A40: It was conducted annually”]; **D114/65** Chet Bunna WRI, A16 [“At that time, they started organizing the navy forces and then sent my group to the training at Ou Chheu Teal”]; **D114/287** Heang Reth WRI, A36-37 [“I met him

[Meas Muth] almost once a week when I was transferred to Unit 140 of the naval forces. This was because he convened meetings with all the trainers to share experiences and to consolidate the work. [...] A37: The meetings were to disseminate the information regarding the actions to be taken and re-enforcement forces to be deployed. Each representative of the units further conveyed the events to their respective units"; **D54/112.1**, **D59/1/1.10a** Phlong Chhea DC-Cam Statement, EN 00968350-51 ["We were taught different parts of the vessel namely the weapon section. [...] There were various sections namely the radar, compass, telegram, course plotting, machinery and navigation"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974180 ["We were trained about navigating, engine repair and maintenance, weapons, electricity, telecommunication, telegrams, walkie-talkies, and flag signals"]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088456 ["There were different sections. Some people were trained to use the vessels, some were trained to operate the machines, some were trained to drive the ships and some were trained to be the telegram operators. I was trained to use the machine guns"]; **D54/100** Lay Boonhak WRI, A45-48 ["They arranged meetings in two parts: 1. Internal Party meetings attended by Party Members and the Youth League held once a month. 2. Ordinary work meetings held once a month. [...] A46: The Party chairperson in the team arranged that meeting and the chairperson reported to the upper echelon. [...] They met about general work. Members in each unit had to criticise each unit chairperson. Each unit chairperson was the example for other members in the team. [...] A47: They mentioned the situations of other units only in the internal Party meetings [...] A48: They only mentioned the units or each work team. As for other work, they did not mention that. As for secret work, what they mentioned were events inside and outside the country. The external events were the conflicts with the Vietnamese and so on. As for important secrets, they did not let us know. We could know only about the ordinary work we performed on a daily basis"]; **D114/19** Mak Chhoeun WRI, A17 ["Sometimes, the meetings were plenary meetings attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164. But sometimes, the meetings of the navy and the army were convened separately"]; **D114/132** Mao Ran WRI, A117, 188, 190-191 ["Yes, I attended [self-criticism] meetings among our squads and groups. Both commanders and combatants attended that kind of meeting. [...] A188: Saroeun called only commanders for meetings. The meetings with combatants were mostly held by Seng and Han. [...] A190: The meetings were not held regularly. They could be each month, every two months, or every five months [...] A191: The meetings were only about boat maintenance, preventing them from quickly going out of repair"]; **D54/44** Lon Seng WRI, A2 ["There was also special education called criticism and self-criticism. These criticism and self-criticism segments were made once every three days in daily meetings. During this educating period, the so-called 'outlook on life' was practised. One of the wrong-doers was made to stand in front of the meeting. The participants would then question and criticise that person in public"].

946 **D59/1/4.27** Heng Viech DC-Cam Statement, EN 00983674 ["I attended only livelihood meetings, at which they told us about how to raise chickens and ducks. That was the information I received. They told us how to grow rice and how to plough land. [...] The other information was distributed only at political schools"].

947 **D54/44** Lon Seng WRI, A26-27 ["The announcement was made in a special meeting where only certain battalion and regiment leaders were selected to attend. The announcement about the East Zone soldiers was not made publicly. I remember that those East Zone soldiers were not informed because they were regarded as enemies. They only mentioned that those soldiers would be sent to get training in order to see whether or not they could be reformed [...] Q: Who made the announcement in that training meeting? A27: The chief of division, Meas Mut"].

948 **D114/287** Heang Reth WRI A34 ["I did not participate in the meetings with Meas Muth directly. The battalion chief directly participated in the meetings with Meas Muth and he passed the information onto my unit"].

949 **D114/287** Heang Reth WRI A37 ["Each representative of the units further conveyed the events to their respective units. However, the message that was further conveyed was not different from the original plan that the division received"].

950 **D1.3.13.11** Sieng OCP Statement, EN 00217565 ["Division or regiment chiefs called unit chiefs for meetings and there would be discussion prior to anyone attending the meeting"].

951 **D114/86** Chet Bunna WRI, A1 ["Q: Yesterday, we talked about Meas Muth's announcement at the Victory Commemoration Ceremony on 17 April 1977 [...] A1: Meas Muth mentioned that a search would be carried out in the future in order to find the persons who were affiliated with those traitors"]; **D54/12** Pres Mean WRI, A25, 28 ["Q: You said that Ta Mut held a meeting in mid-1977: where was the meeting held? A25: The

meeting was held at the Stueng Hav Military Unit [...] A28: He spoke about those who betrayed the Party, and he said that those accused of treason had to be rounded up and put in one place”].

952 **D54/102** Ek Ny (Ni) WRI, A1 [“At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed, we were not allowed to possess even a knife. Each of us was allowed to have only a hoe. After that, Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level”]; **D114/89** Seng Sin WRI, A56, 60-61, 63 [“Q: You said that there was another meeting after you reached the mainland. When and where did the meeting take place? A56: We stopped in Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan’s confession out loud in the meeting. [...] A61: He did not talk about anything else. He sent us to work in a production unit after the meeting. [...] A63: I only remember when he talked about the traitors’ confessions. He talked about Norng Chhan and my two superiors. My superiors did not make a confession. Meas Muth just claimed that they were traitors”].

953 **D114/208** Long Phansy WRI, A31 [“The regiment called me to attend a meeting in order to prepare my arrest, but from whom the order came, I did not know. The ones who arrested me were regiment, Moeurn and Lan. They were at the meeting location. It was not until 8.00 p.m. or 9.00 p.m. that the meeting began, and I was arrested then and there”]; **D54/102** Ek Ny WRI, A14 [“When they wanted to arrest those at the battalion and regiment levels, they sent the soldiers of the Special Unit to the battalion and regiment bases to tell them that brother [commander] of Division called them to attend a meeting”]; **D1.3.13.11** Sieng OCP Statement, EN 00217565 [“Division or regiment chiefs called unit chiefs for meetings and there would be discussion prior to anyone attending that meeting. He heard that people from some units were called to meetings and that they never returned, although that did not happen in his unit”]. *See also* **D54/104** Ek Ni WRI, A13 [“Those who were arrested had not been informed in advance. Those who were called to attend study sessions disappeared. Invitation letters to attend study sessions were issued by the division. After the disappearance of the leaders, they made announcement to soldiers to be vigilant”].

954 **D54/8** Dol Song WRI, A5, 7, 14 [“They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings. [...] Q: Did you know if Meas Mut was in charge of announcing the information? A7: Yes, he did. [...] A14: We learnt about this at unit meetings after the arrests had been made. It was announced at the meeting that those people had been arrested. I would like to tell you that it was not only me who knew about those arrests”]; **D54/102** Ek Ny WRI, A1 [“The event in front of Wat Enta Nhien Pagoda took place in late 1976 toward the beginning of 1977. [...] After that, Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim”]; **D114/89** Seng Sin WRI, A60 [“I do not know how many soldiers were sent back at that time. The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan’s confession out loud in the meeting”]; **D114/86** Chet Bunna WRI, A5 [“We had no fears before Dim and Chhan were arrested because we were the full-right soldiers. We had rifles to use, and we could move anywhere. However, after the announcement of the arrests of Dim, Chhan, and the Battalion and Regiment Commanders (namely Ta Ham and Ta Vet was made we became frightened”].

955 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of Meeting of 164 Comrades*, 9 Sep 1976, EN 00657354 [“About setting up the radar on the Bauk Ko Mountain: [...] one of which will be set up in the pagoda on the mountain, and another will be set up in the hotel/casino building [...] Plan for setting up the radar in Koh Kong: They want us to build the road first. Koh Tang Island will be next”]; **D54/47** Em Sun WRI, A24 [“Bok Ko Unit was a radar unit”]; **D2/9** Say Born WRI, A41 [“Q: At that time how many radar sets did the Division 164 have? A41: As I knew it, there was only one on the Bauk Ko mountain which was used daily. But later on I heard that they set up more radars on Koh Tang Island and Koh Kong”]; **D54/113** Leang Bea WRI, A45 [“Q: Where was the radar located? A45: It was on the Bokor Mountain”]; **D59/1/1.14** Hing Uch DC-Cam Statement, EN 00970745 [“At Koh Tang island, there was a radar on a higher foothill and it was operated by a different unit. My base was below theirs at which a radar was installed”]; **D4.1.758** Unknown US

POW/MIA Statement, EN 00387312 [“The regiment had two radars—one on Bokor Mountain [...] and the one on Hill 440 [...] on Tang Island”]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963730 [“The radar at Bokor [mountain]. Q: Was it at Bokor? A: The big radar was at Bokor. [...] Later, another one was installed at Koh Tang island but it was a smaller radar. [...] later they planned to install another one at Koh Kong but [it was failed]”]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974105 [“Q: Was the radar on Bokor Mountain the main one? A: It was. Both naval and air radars were sited there”]; **D22.1.2** Henri Locard, *Democratic Kampuchea Prison Network in West Region*, EN 00087334 [“The Chinese ships imported Zil trucks, tractors for the rice-fields, armaments (tanks, radar, DCA cannons, torpedo boats)”]; **D114/286** Heang Reth WRI, A16 [“Q: There was a unit called Bokor Mountain unit. Can you tell us what that unit was? A: This unit was tasked with managing the maritime radar system”]; **D54/34** Ing Chhon WRI, A6-7 [“The radar system was installed on Koh Kong Island because from there they were able to watch over the open sea. [...] A7: The radar and binocular station was under Division 1”].

956 **D54/47** Em Sun WRI, A24 [“Bok Ko Unit was a radar unit”]; **D59/1/1.14** Hing Uch DC-Cam Statement, EN 00970745 [“At Koh Tang island, there was a radar on a higher foothill and it was operated by a different unit. My base was below theirs at which a radar was installed”]; **D54/10.2** Report from Moeun to Bang Mut (Meas Muth), 13 Jul 1977, EN 00983427 [“The radar section can communicate easily with the Chinese in the fishing section to assist the work”].

957 **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115977 [“Q: Who controlled the radar at Bokor? A: Mr Uk Nang did”]; **D59/1/1.14** Hing Uch DC-Cam Statement, EN 00970745 [“Q: Was Bokor radar unit commanded by uncle Ouk? A: Yes, it could be”]; **D59/1/1.11a** Hieng Ret DC-Cam Statement, EN 00974105 [“Q: Is he Uk Nang? A: Yes. He was Chief of the Bokor Radar”]. *See also* **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968390 [“I have seen two surviving radar controllers. Uk Nang took charge of Bokor Radar, and currently holds the rank of colonel. The other is Phon, living in Ou Ta Teak – he was also at Bokor Radar Station”].

958 **D114/95** Yoem Sroeng WRI, A92 [“Radar was used to detect any object floating on the water or detect anything else”]. *See also* **D1.3.27.1** CPK Standing Committee Meeting Minutes, 9 Oct 1975, EN 00183400 [“Radar is for: - Following the situation – Reporting”]; **D1.3.34.13** Telegram 16 from Dim to Mut (Meas Muth), 6 Oct 1976 [copied to Nuon, Khieu, Mut, The Office: “As far as radar is concerned, we have installed one. We have tried to view and managed to see ships navigating on the international waters outside of Polowai island. As for the ships at Koh Seh island, [we] traced a ship supposedly carrying wood. [...] the main issue was that the ship at Koh Kong island was a real warship”]; **D126.1.1** Report from the Bokor Radar Base to Brother 89 (Son Sen), 20 Jun 1977; **D1.3.34.21** Report to Brother 89 (Son Sen), 17 Jun 1977; **D54/63.1** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977, EN 00983609 [“They operated their boats without turning-on their navigation lights. We could only see them via radar”]; **D54/51.1** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977, EN 01109278 [“They operate at night and do not turn on their lights, so we can detect them only on our radar screens”]; **D1.3.12.18** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977, EN 00233992 [“They operated at night; we could only see them via radar”]; **D1.3.27.1** CPK Standing Committee Meeting Minutes, 9 Oct 1975, EN 00183406 [“As for the radar, ask them if they can operate in combination with the Navy and Air Force? *Angkar* proposes they work in combination. We are short of people and technology”].

959 **D54/113** Leang Bea WRI, A44-47 [“Q: A moment ago you said that when an enemy ship entered Khmer territorial waters, they would dispatch a defence ship. How did the Democratic Kampuchea Navy know when an enemy ship had entered our maritime territory? A44: They knew that through the radar. Q: Where was the radar located? A45: It was on the Bokor Mountain. Q: How did they send information to your ship? A46: The provided the information to the ship’s commander in Kampong Som. Q: Through whom did your ship receive information from the upper echelon—from the regiment or from the radar directly? A47: We received it from the regiment”]; **D114/19** Mak Chhoeun WRI, A21 [“Regarding the division’s defensive capabilities, there was also radar on the top of Phnum Bokor Mountain. Sometimes, that radar detected boats which entered our territorial waters in advance. That radar belonged to Division 164. Specifically, when the radar on Phnum Bokor Mountain detected any fishing boats, either small or large, which entered our territorial waters, they would directly inform me on the island about the infiltrations by those boats”]; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974105-06 [“Q: So, what did the radar people do when they picked up a boat or ship? A: They reported it to the division, and the division would send out a ship to keep [their] eyes on it. Q: So, what kinds of ships were investigated? A: At the time, Vietnamese and Thai fishing boats were investigated”]. *See also* **D54/72** Mut Mao WRI, A33-34 [“I do not remember if there was the telephone line from Kampong Som to Kampot, but there was the telephone line from Kampong Som to Bokor. Q: Why was

there a telephone network from Kampong Som to Bokor? A34: Because there was radar on Phnum Bokor Mountain. Sometimes, the units wanted to call Phnum Bokor, I connected the telephone line for them”]; **D54/34** Ing Chhon WRI, A12 [“During that time, Division 1 would report to the telegram office of the ship unit at Koh Kong through a voice radio system. The telegraph operators then reported on to Ta Mut, who in turn would issue his orders. For your question about why Division 1 had to report the incidents to the telegram office of Division 164, this was because Division 1 had no fighting ships to handle such events”].

D114/29.1.6 Sao Sarun WRI, EN 00350263 [“Sector military had the right to report only to the Sector Committee. As for the Centre Divisions, they had to report directly to the Centre. [...] A division referred to the army and it belonged to the Centre”]; **D4.1.855** Lonh Dos WRI, EN 00364071 [“All the divisions of the Centre’s military had to report to the General Staff. The General Staff Communication Radio communicated with all the divisions, but did not directly communicate with the sector and district troops”].

D98/3.1.178 Meas Voeun, T. 4 Oct 2012, 09.29.17-09.32.01 [“In my understanding, the General Staff had the overall command on the division across the country”]; **D4.1.855** Lonh Dos WRI, EN 00364071 [“All the divisions of the Centre’s military had to report to the General Staff”]; **D4.1.520** Ke Pich Vannak WRI, EN 00346152 [“I was a driver, transporting food supply from Phnom Penh to the Office of the General Staff stationing in Svay Rieng. Generally, I transported food supply to Svay Rieng once every 2 days. At that time Son Sen was stationing in Svay Rieng. Besides transporting food supply, I helped with answering phone calls, so that I could hear certain information which related to the national defense”]; **D1.3.9.4** Report by General Staff Logistics Committee, 29 Mar 1977.

D54/54 Meas Voeun WRI, A5 [“Meas Mut reported directly to the General Staff, to Son Sen”]; **D54/110** Lon Seng WRI, A9 [“Q: From what you have just said, did it mean that Meas Mut had a role in the general staff? A9: Yes. This was not only for Division 164 but for any division belong to the central level. Commanders of those divisions were members of the general staff head quarter. When a division became a division of the central level, the commander of such division would become a member of the general staff committee”]; **D114/65** Chet Bunna WRI, A9 [“Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680797 [“Regarding the members of the standing committee of the General Staff, there were three first important people: Son Sen, known as brother 89, the secretary, Men San alias Ya, deputy secretary and also a full-right member of the central committee, and Seat Chhe alias Tum known as brother 81, the member, and also a reserve member of the Central Committee. After these people, there were other members including Meas Mut, responsible for navy, Sou Met, responsible for air force”]; **D22.2.180** Meas Muth Interview, *Meas Muth: ‘We were in a cage like today’*, 2 Aug 2001, EN 00161880 [“Q: According to the report, you attended many general staff meetings with [former Khmer Rouge Defense Minister] Son Sen, at which he revealed the policy towards the enemies of the regime. A: When I came to those meetings, it was only to discuss rice production”]; **D1.3.13.13** Touch Soeuli OCP Statement, EN 00217575 [“The Naval Headquarters communicated directly with the General Staff Headquarters in Phnom Penh and with the Southwest Zone under Ta Mok”].

D54/54 Meas Voeun WRI, A5 [“Meas Mut reported directly to the General Staff, to Son Sen”]; **D114/103** Liet Lan WRI, A145, 148, 150, 154 [“I think that the General Staff was under the control of Son Sen. [...] A148: The General Staff had many sections and ministries, including a section in charge of war-fighting and a Ministry of Economy in charge of supplying frontline personnel. The General Staff worked on behalf of the commanders. [...] A150: He [Son Sen] was Commander of all armed forces. [...] A154: Son Sen was Meas Muth’s superior, and Son Sen was a member of the Central Committee”].

D4.1.845 Lonh Dos WRI, A22-23 [“All the telegrams were transmitted in code numbers, and the contact was made at least two to three times a day [...] except when there was a special case in which we could make an additional contact. [...] A23: That was our daily work that we had to make [contacts] regularly two to three times a day.”].

D4.1.855 Lonh Dos WRI, EN 00364071 [“The General Staff Communication Radio communicated with all the divisions, but did not directly communicate with the sector and district troops”]. *See also* **D98/3.1.177** Meas Voeun, T. 3 Oct 2012, 09.08.38-09.09.40 [“One of the most common communication lines was via radio and telegraph lines, including oral communication as well as messages. To this end, the General Staff as well as the individual divisions maintained radio and telegraph units”].

D4.1.855 Lonh Dos WRI, EN 00364071 [“I also translated the telegrams sent in and out from/to all the divisions. Long and I were the telegram translators at the General Staff”]; **D4.1.1056** Chuon Thi, A19 [“I used to receive some telegrams involving plan and activity only from division leadership [...] But it was

copied to other leaders than sent directly to me. The telegrams mentioned the enemy's activities"; **D4.1.848** Chhouk Rin WRI, A7 ["At that time, telegram was not written in letters but in secret codes. Later on it was translated into letters so that its content could be understood. Telegram was a means of sending information by mail about the situation by the person in charge to his upper echelon. Normally, only the division commander of the Khmer Rouge Army had the right to send telegram to the Centre"]; **D4.1.846** Ieng Phan WRI, A11 ["My military communications were by telegrams which were transmitted by a 15 watt machine in secret code numbers and then were decoded into letters of the alphabet. The machine could be used with communications radios as well"]. See also **D98/3.1.177** Meas Voeun, T. 3 Oct 2012, 09.08.38-09.09.40 ["One of the most common communication lines was via radio and telegraph lines, including oral communication as well as messages. To this end, the General Staff as well as the individual divisions maintained radio and telegraph units"].

D4.1.855 Lonh Dos WRI, EN 00364071 ["When the General Staff summoned the divisions to attend confidential meetings, they faxed to summon them to attend meetings at the General Staff"]; **D4.1.408** Chhouk Rin WRI, EN 00268871 ["High-level military commanders, including myself, received orders by telegram to travel to the East Zone, and we also received verbal orders in a special military meeting in Phnom Penh attended by military commanders"].

D54/37 Soem Ny WRI, A30 ["Q: Have you ever heard that Meas Mut was a general military staff? A30: Yes, I have. He had to join monthly meetings with military staff in Phnom Penh"]; **D54/29** Liet Lan WRI, A3 ["Meas Mut was not always in Kampong Som. He had to travel back and forth between Phnom Penh and Kampong Som. In Phnom Penh, he met with Son Sen at [...] the General Staff"]; **D54/110** Lon Seng WRI, A8 ["As a division commander that person was a member in the committee of the army general staff. When the army general staff needed to make a work plan, the general staff usually discussed to collect comments from division commanders"]. See also **D1.3.27.22** DK Military Meeting Minutes, *Minutes of the Plenary Meeting of Divisions*, 21 Nov 1976 [Muth noted as attending]; **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00183982-94 [Meas Muth noted as attending]; **D1.3.8.2** DK Military Meeting Minutes, *Minutes of the Meeting of All Division Committees*, 1 Jun 1976 [Meas Muth noted as attending]; **D1.3.8.3** DK Military Meeting Minutes, *Minutes of meeting of the military work in Kampong Som*, 3 Aug 1976 [Meas Muth noted as attending]; **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976 [Meas Muth noted as attending]; **D114/27.1.5** DK Military Meeting Minutes, *Minute of Divisional and Regiment secretary-undersecretary of Logistics Meeting*, 19 Sep 1976 [Meas Muth noted as attending]; **D234/2.1.18** DK Military Meeting Minutes, 27 Jun 1976 [Meas Muth noted as attending]; **D54/54** Meas Voeun WRI, A4 ["Meas Mut was commander of Division 164, which was directly under the General Staff and the Centre"]; **D4.1.845** Lonh Dos WRI, A14 ["He [Son Sen] came to attend the meeting at the General Staff when there was meeting with the [military] Divisions. For example, such meeting was held once a week or once a month"].

D1.3.8.3 DK Military Meeting Minutes, *Minutes of meeting of the military work in Kampong Som*, 3 Aug 1976.

D22.2.180 Meas Muth Interview, *Meas Muth: 'We were in a cage like today'*, 2 Aug 2001, EN 00161880 ["Q: [...] you attended many general staff meetings with [...] Son Sen, at which he revealed the policy towards the enemies of the regime? A: When I came to those meetings, it was only to discuss rice production. [...] in the meetings I attended with Son Sen, we discussed whether there was enough rice or not. I was just the head of the divisions, and I did not attend the secret meetings where the leaders investigated the cases of the enemy"].

D1.3.8.3 DK Military Meeting Minutes, *Minutes of meeting of the military work in Kampong Som*, 3 Aug 1976, EN 00234012 [concerning military work in Kampong Som, Meas Muth, Khieu Samphan, Nget and Dim noted as attendees]; **D54/29** Liet Lan (Nam Lan) WRI, A3 ["Later on that day, we travelled to Kampong Som by car where we met Ta Mut at a meeting place near a market"]; **D1.3.8.4** DK Military Meeting Minutes, (Division 164 cadres), 9 Sep 1976 [Report on the construction of the radar station].

D4.1.1151 Prak Yoeun alias Y WRI, EN 0223338 ["I attended the ceremony commemorating the anniversary of the creation of the Party in 1960, which was held at the Olympic Stadium after liberation in 1975. [...] Khieu Samphan spoke at that ceremony"]; **D4.1.805** Chhaom Se WRI, A3 ["The Great Assembly was held in September 1975. The commanders of the division level down to the company level from all divisions attended it [...] Those [who] attended that Great Assembly included Pol Pot, Nuon Chea, Chea Choeun alias Ta Mok, Son Sen, Khieu Samphan, Vorn Vet, Ieng Sary, Ieng Thirith, Hou Nim, and Thioun Thioeun. [...]

There were 21 Party Centre members attending it”]; **D4.1.240** Oeun Tan WRI, EN 00235129-30 [“Q: You told us that meetings were held at the Olympic Stadium. What were the meetings about? Q: I didn’t know what they talked about in the meetings, but I knew they were military meetings. The soldiers who attended were battalion, regiment and division [level]. [...] Q: Were the meetings at the Olympic Stadium frequent? A: They were not frequent, sometimes twice a year [...] I remember that Son Sen attended those meetings. [...] Q: Aside from the regular meeting, were there meetings at other locations? A: Just at the Olympic Stadium, once every three or four months. They were military meetings led by Pol Pot”].

973 **D4.1.409** Chhouk Rin alias Sok WRI, EN 00268896-97 [“Before a cadre purge mission in the eastern zone, the military commanders and I were called, in mid 1977, to attend a meeting in Ta Mok’s home in Takeo [...] A day later we went to Svay Rieng; but we stayed in Neak Loeng for a couple of weeks. There were many meetings at the division level to prepare this scheme. Ren, Ta Mok’s son-in-law, sent a telegram to me asking me to return to Phnom Penh to attend a special meeting with the top leaders who would discuss the purge of the eastern cadres. There were about 600 to 700 participants, including Meas Mut, Sok Chhean, Ieng Phan, Dy and Thy with the presence of Pol Pot, Ta Mok, Nuon Chea and Son Sen. In the meeting, Nuon Chea said: “We must purge ‘the internal enemy’ and ‘fight the Vietnamese invaders’”].

974 **D54/54** Meas Voeun WRI, A14 [“I only knew that, for example, the Centre called the Zone- and division-echelon cadres to attend meetings to disseminate the policies of sweeping clean and screening”].

975 **D114/103** Liet Lan (Liet Lorn) WRI, A142-143 [“Q: Do you know why Meas Muth often went to Phnom Penh? A142: I think that he went to Phnom Penh to report. Q: To whom did he report? A143: He reported to the Centre”]; **D54/98** Heang Ret WRI, A75 [“I attended an assembly in Phnom Penh in order to sum up the work. [...] I heard Meas Muth reporting about the Vietnamese boats that had entered Cambodian territorial waters”].

976 See, e.g., **D4.1.1020** Report from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976 [reporting on the number of people in the hospital, the capture of a motorboat carrying rice, and the need for interpreters for training]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 [concerning the military situation in Koh Kong and Koh Tang]; **D1.3.30.2** Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976 [describing the fighting in Koh Ses and Koh Tral, and the rice supply at Koh Rong]; **D1.3.12.3** Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976 [concerning arrests and the enemy situation]; **D1.3.14.1** Telegram from Muth (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976 [Meas Muth forwards an intercepted letter addressed to Sam-At, deputy secretary of Battalion 165, and asks Son Sen, “As for this matter, please, *Angkar*, give advice and make decision because as [we] have seen it is fairly clear”]; **D54/51.1 (D1.3.12.18)** Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977 [reporting on the capture of Thai vessels off of Koh Kong and entering of Vietnamese fishing vessels near Koh Seh]; **D1.3.2.2** Telegram 10 from Son Sen to Meas Muth, 4 Nov 1976 [detailing instructions including the absolute necessity to destroy the enemies entering DK waters or territories, the need to keep the recent arrests of those from the “West” secret and the need to strengthen communications]. See also **D54/98** Heang Ret WRI, A62 [“Q: When there was an order to Meas Muth, how was it sent? A62: To my knowledge, orders were sent by telegraph”]; **D4.1.855** Lonh Dos WRI, EN 00364071 [“When the General Staff summoned the divisions to attend confidential meetings, they sent a telegram to summon them to attend meetings at the General Staff. Division commanders were usually summoned to attend the meetings at the General Staff”]; **D114/19.1** Report from Meas Muth to Brother 89 (Son Sen), 5 Jan 1976 [Regarding fighting on Koh Tral Island]; **D1.3.12.2** Report from Meas Muth to Brother 89 (Son Sen), 6 Feb (year unknown: 1976, 1977 or 1978) [regarding the capture of Thai fishing boats]; **D1.3.14.2** Telegram 83 from Moeun to Brother Muth (Meas Muth), 13 Jul 1977 [copied to Son Sen: reporting on, among other things, the discovery of internal “enemies”]; **D1.3.34.60** Telegram 00 from Mut (Meas Muth) to M-870, 31 Dec 1977 [regarding the defence of the maritime boundary, copied to Brother (Pol Pot), Brother Nuon, Brother Van (Ieng Sary), Brother Von (Vorn Vet), Brother Khieu (Son Sen)].

977 **D54/23.3** Confidential Telephone Message from Mut (Meas Muth), 4 Jan 1978 [reporting on about total number of arrested Vietnamese and failure to release Thai captives]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [describing incidents of boat capture and killings at sea]; **D54/73.1** Confidential Telephone Communication from Mut (Meas Muth), 1 Apr 1978 [describing arrests of Vietnamese and release of Thai prisoners, and requesting military equipment]; **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978 [detailing the number of Vietnamese captured and killed]; **D4.1.637** Confidential Telephone Message from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978 [regarding fighting at Koh Tral and soldiers injured]; **D54/73** Mut Mao WRI, A4 [“Q: How

often did K-1 call? A4: Sometimes once per day and sometimes once every two days. At that time, there were calls back and forth between Meas Mut, the commander of Division 164 and the Centre”]; **D1.3.30.26** Confidential Telephone Communication from Regiment 63 to Grand Uncle (Nuon Chea), 15 Apr 1978; **D1.3.12.20 (D4.1.639)** Confidential Telephone Communication from Division 164 to Mut (Meas Muth), 12 Aug 1977 [with handwritten annotations by Khieu Samphan]. *See also* **D98/1.2.47** Norng Sophang, T. 5 Sep 2012, 11.39.48-11.42.18 [“the air force, the infantry forces, as well as the navy – they had their encoding and decoding unit as well as the landlines and also telephone contact”].

D1.3.4.1 Report from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976, EN 00234455 [letter concerning a soldier, Achar Kang’s, health situation]; **D4.1.1010** Letter from Kan and Muth (Meas Muth) to Brother (Son Sen), 8 Dec 1978 [letter explaining journalist Elizabeth Becker’s requests].

D22.2.181 Meas Muth US POW/MIA Statement, EN 00249694 [“All communications between Ream/Kampong Som and Phnom Penh during the Mayaguez incident were conducted via messenger”].

D114/19.1 Report from Meas Muth to Brother 89 (Son Sen), 5 Jan 1976 [“I have mailed to you, Brother 89, the monthly report of Unit 164, through train”]; **D1.3.30.2** Report from Meas Muth to Brother 89 (Son Sen), 5 Jan 1976 [“This monthly report of Unit 164 is to be submitted to Brother 89 by train”].

D4.1.1020 Report from Mut (Meas Muth) to Brother 89 (Son Sen), 20 Feb 1976 [reporting on the number of people in the hospital, the capture of a motorboat carrying rice, and the need for interpreters for training]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 [describing the military situation in Koh Kong and Koh Tang, and two traitors]; **D1.3.14.1** Telegram from Muth (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976 [Muth forwards an intercepted letter addressed to Sam-At, deputy secretary of Battalion 165, and asks Son Sen to seek advice for *Angkar*]; **D1.3.4.1** Report from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976 [reporting on a soldier, Achar Kang’s, health situation]; **D4.1.637** Confidential Telephone Message from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978 [regarding fighting at Koh Tral and soldiers injured]; **D54/23.3** Confidential Telephone Message from Mut (Meas Muth), 4 Jan 1978 [reporting on total number of arrested Vietnamese and failure to release Thai captives]; **D54/73.1** Confidential Telephone Communication from Mut (Meas Muth), 1 Apr 1978 [describing arrests of Vietnamese and release of Thai prisoners, and requesting military equipment]; **D1.3.34.28** Report from Sim to Division 164, 15 Sep 1977 [Copied to Brother 89 (Son Sen): regarding the capture of Thai boats].

D1.3.34.10 Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 [describing the military situation in Koh Kong and Koh Tang, and two traitors]; **D4.1.572** Report from Roeun (Ung Ren) to Uncle 89 (Son Sen), 25 Mar 1977 [detailing the situation with the enemy at the border]; **D114/19.1** Report from Meas Muth to Son Sen (Brother 89), 5 Jan 1976 [discussing armed clashes on and around Koh Tral and Division 164 military deployment on Koh Ses, Koh Thmey, Koh Sampauch, Koh Ream and the presence of Meas Muth at Koh Rong and Koh Rong Krao at the time of the report]; **D1.3.12.2** Report from Meas Muth to Brother 89 (Son Sen), 6 Feb (year unknown: 1976, 1977 or 1978) [discussing Koh Pring forces firing at a Thai fishing boat, the capture of Thai boats, and flights of Vietnamese helicopters over Koh Tral / Phu Quoc].

D54/51.1 (D1.3.12.18) Telegram 09 from Mut (Meas Muth) to Brother 89 (Son Sen), 29 May 1977 [reporting on the capture of Thai vessels off of Koh Kong and entering of Vietnamese fishing vessels near Koh Seh]; **D1.3.12.3** Report from Mut (Meas Muth) to Brother 89 (Son Sen), 22 Feb 1976 [reporting on the arrest of seven enemies at Sangvav]; **D4.1.637** Confidential Telephone Message from Muth (Meas Muth) to Brother 89 (Son Sen), 4 Apr 1978 [regarding fighting at Koh Tral and soldiers injured]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [regarding the maritime enemy situation]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 [concerning the enemies including Thai nationals in the maritime boundary]; **D1.3.12.18** Telegram 09 from Meas Muth to Brother 89 (Son Sen), 29 May 1977 [discussing the movements of Thai and Vietnamese vessels]; **D1.3.12.20 (D4.1.639)** Confidential Telephone Communication from Division 164 to Mut (Meas Muth), 12 Aug 1977 [describing the capture of one boat with 4 Thai and 1 Khmer on board suspected of traitorous activities]; **D1.3.8.4** DK Military Meeting Minutes, *Minutes of Meeting of 164 Comrades*, 9 Sep 1976 [concerning “internal” and external enemies]; **D234.2.1.46** DK Military Report from Euan to Brother 89 (Son Sen), 1 May 1976 [regarding internal “enemies”]; **D1.3.34.28** Report from Sim to Division 164, 15 Sep 1977, [copied to Son Sen: reporting on the arrest of Thai fishing boats and killing of fishermen].

D1.3.14.1 Telegram from Muth (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976 [Meas Muth forwards an intercepted letter addressed to Sam-At, deputy secretary of Battalion 165, and asks Son Sen, “As for this matter, please, *Angkar*, give advice and make decision because as [we] have seen it is fairly clear”];

D234/2.1.45 Report from Sok to Brother 89 (Son Sen), 4 Jun 1977 [Committee of Division 170 reporting on, among other things, 11 internal “enemies”]; **D234/2.1.46** Report from Euan to Brother 89 (Son Sen), 1 May 1976 [detailing arrests and confessions of internal “enemies”]; **D234/2.1.48** Report from Ren (Ung Ren) to Brother 89 (Son Sen), 6 Jul 1977 [staff office reporting on, among other things, leadership, purges, the “national defence” work of Division 170, and the problem of some cadres being lazy and needing to be re-educated]; **D10.1.98** Report from Roeun (Ung Ren) to Uncle 89 (Son Sen), 25 Nov 1976 [Committee of Division 801 reporting on, among other things, external “enemies” indoctrinating some internal units]; **D4.1.643** Report from Division 310 Committee to Brother 89 (Son Sen), 4 Nov 1977 [regarding, among other things, subversive activities within Division 310]. *See also* **D1.3.14.2** Telegram 83 from Moeun to Brother Mut (Meas Muth), 13 Jul 1977 [copied to Son Sen: reporting on, among other things, the discovery of internal “enemies”].

D1.3.30.2 Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976 [describing the fighting in Koh Ses and Koh Tral, and the rice supply at Koh Rong]; **D234/2.1.45** Report from Sok to Brother 89 (Son Sen), 4 Jun 1977 [Committee of Division 170 reporting on rice production and requests for *Angkar* to address a water problem]; **D234/2.1.48** Report from Ren (Ung Ren) to Brother 89 (Son Sen), 6 Jul 1977 [staff office reporting on, among other things, agricultural productivity]; **D10.1.98** Report from Roeun (Ung Ren) to Uncle 89 (Son Sen), 25 Nov 1976 [Committee of Division 801 reporting on, among other things, agricultural production].

D1.3.4.1 Report from Mut (Meas Muth) to Brother 89 (Son Sen), 19 Oct 1976 [reporting to Son Sen on a soldier, Achar Kang’s, health situation]; **D4.1.1020** Report from Meas Muth to Brother 89 (Son Sen), 20 Feb 1976 [reporting health issues]; **D10.1.97** Telegram from Thoeun to Brother 89 (Son Sen), 11 Mar 1976 [concerning the health of combatants in Division 801].

D4.1.643 Report from Division 310 Committee to Brother 89 (Son Sen), 4 Nov 1977 [regarding, among other things, dam construction within unit 310]; **D4.1.1014** Report from Oeun to Brother 89 (Son Sen), 26 May 1976 [concerning the construction of a canal and other works including forest clearing and land cultivation]; **D1.3.34.10** Telegram from Meas Muth to Brother 89 (Son Sen), 13 Aug 1976 [describing, among other things, installation of cannons on islands]. *See also* **D1.3.14.2** Telegram 83 from Moeun to Brother Mut (Meas Muth), 13 Jul 1977 [copied to Son Sen: reporting on, among other things, repairs].

D54/82 Hing Uch WRI, A6 [“Office 870 sent the instructional message directly to Division 164, and separately I received the forwarded instruction message from Division 164”]. *See generally* **D98/3.1.307** Ung Ren, (TCW-754). T, 10 Jan 2013, 09.23.42-09.26.04 [“We knew of the instructions from the Upper Echelon through him [Division Secretary Saroeun], only through the meetings that he relayed those instructions to us”].

D1.3.2.2 Telegram 10 from Son Sen to Meas Muth, 4 Nov 1976 [detailing instructions including the absolute necessity to destroy the enemies entering DK waters or territories, the need to keep the recent arrests of those from the “West” secret and the need to strengthen communications].

D4.1.845 Lonh Dos WRI, A35 [explaining that a report from Division 164 to Son Sen was forwarded to *Angkar* because “every matter happening must be reported to *Angkar*”]; **D4.1.240** Oeun Tan WRI, EN 00235133 [“I saw letters sent in from Son Sen. Letters sent in from the Zones and Sectors had to go to K-7 first; then they were brought to K-1, and my team took them to Pol Pot”]. *See also* **D4.1.611** Norng Sophang WRI, EN 00334052 [“Son Sen had a telegraph for communicating directly with Yos place. His telegram came out in code number forms, so Yos, after receiving it, just delivered it directly to K-1. After that, Pon group translated it into the text letters. For the important directives and important issues, the inside group were the ones to translate them”]; **D98/1.2.36** Oeun Tan (TCW-788) T, 13 Jun 2012, 15.48.20-15.51.08 [“Letters were sent from Son Sen [...] I brought them to Pol Pot”].

D1.3.14.1 Telegram from Muth (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976 [Meas Muth forwards an intercepted letter addressed to Sam-At, deputy secretary of Battalion 165, and asks Son Sen, “As for this matter, please, *Angkar*, give advice and make decision because as [we] have seen it is fairly clear”]; **D1.3.12.20 (D4.1.639)** Confidential Telephone Communication from Division 164 to Mut (Meas Muth), 12 Aug 1977 [report of arrest of a boat off of Koh Kong, which was forwarded to *Angkar* by Son Sen]; **D234/2.1.44** Report from Oeun to Brother 89 (Son Sen), 16 Mar 1976 [“Now I have our brothers secretly watched clearly; then record the voice as proof to submit to *Angkar* [...] rice is available, but it is required to request through *Angkar* [...] I would like to request *Angkar*’s opinions”]; **D10.1.98** Report from Roeun (Ung Ren) to Uncle 89 (Son Sen), 25 Nov 1976 [“Anyone who is suspicious of being an enemy must absolutely be arrested [...] This is a report of Committee 801 regarding enemy activities and measures as stated above and

we request that Uncle make remarks and comments. We look forward to receiving the Party's recommendations"; **D4.1.1015** Report from Reuan to Uncle 89 (Son Sen), 30 Mar 1977 ["As per *Angkar's* instruction, I request that Comrade Mao be assigned as replacement. I request Uncle to comment on Comrade Mao [...] I request Uncle to help make a decision [...] I request Uncle to comment and decide on this comrade [...] I request Uncle to make comments and judgments"]; **D234/2.1.50** Report from Ren to the Office of the General Staff, 12 Mar 1977 ["This is proposed for *Angkar* to help resolve"]; **D1.3.34.23** Telegram 28 from Soeung to Ankar, 12 Aug 1977 [reporting on an enemy jet airplane and asking for information from *Angkar*].

992 **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [Meas Muth reports to Son Sen about the arrests of Thai and Vietnamese boats]; **D54/11** Meu Ret alias Meu Sareth WRI, A20 ["Q: Why was this reported to Son Sen? A20: Ta Mut had to report all these events, such as firing at and capturing Vietnamese boats, to upper echelon so that the upper echelon would take appropriate measures"]; **D54/52** Meas Voeun WRI, A13 ["According to my knowledge about the command structures, Meas Mut was in the Centre echelon, so he had to report to his upper echelon — Son Sen, who was the General Staff"].

993 **D98/3.1.178** Meas Voeun, T. 4 Oct 2012, 10.14.58-10.17.11 ["We cooperated with Division 3 at the regiment level. We got to know one another, so then we could familiarize ourselves with our task and their task and not to overlap our responsibility"]; **D98/3.1.179** Meas Voeun, T. 8 Oct 2012, 11.16.46-11.19.35 ["My division patrolled from Koh Kong to Kaoh Sdach — that's to the North. And, as to the South, it was under the control of Division 3. But the division commander never communicated directly with me. Only the regiment or the battalion commander communicated with my group"].

994 **D54/51** Meas Voeun WRI, A18 ["Because the West Zone was bordered by Thailand and the international waters, some parts of the sea borders between Cambodia and the international waters and Cambodia and Thailand were under the control of Division 1. The other parts of the borders were under the control of the navy"].

995 **D54/34** Ing Chhon WRI, A5-6 ["During that time Infantry Division 1 was deployed at various places in Koh Kong [...] A6: My ship unit was not positioned in only one place in Koh Kong Town; we moved from place to place to defence against attack by Thai aircraft. Sometimes we were moored at Pory Lamdam while sometimes we were moored at Pory Av Yeay Saen. These two islands were in Koh Kong"]; **D54/54** Meas Voeun WRI, A17 ["Division 1 headquarters was located in Banteay Longvaek; because Koh Kong was in the West Zone [...] One regiment, which had a battalion under my command, operated at Koh Kong. The other part [of Division 1] was stationed at the headquarters in Banteay Longvaek"].

996 **D54/34** Ing Chhon WRI, A5, 7 ["Division 1 had their binoculars and radars to scan for illegal fishing boats. [...] A7: The radar and binocular station was under Division 1"].

997 **D54/53** Meas Voeun WRI, A4 ["Yes, sharing information was very important for our operations to capture Thai and Vietnamese fishing boats"].

998 **D54/34** Ing Chhon WRI, A12 ["During that time, Division 1 would report to the telegram office of the ship unit at Koh Kong through a voice radio system. The telegraph operators then reported on to Ta Mut, who in turn would issue his orders"]; **D54/52** Meas Voeun WRI, A35 ["Yes I had to provide the information to Sim's unit when I saw any ship around 70 nautical kilometres or so or further. If I had not provided that information to his unit, I would have been scolded and blamed if any problems had occurred. After I had informed them, that unit would report to their upper echelon, Division 3, to get orders or instructions regarding the actions to be taken"].

999 **D54/51** Meas Voeun WRI, A17 ["If there were any conflicts on the sea with another country, Division 1 would contact the navy to intervene and deal with the conflicts because they had warships, and we did not. Division 1 only had small boats for patrol and transport"]; **D54/34** Ing Chhon WRI, A12 ["For your question about why Division 1 had to report the incidents to the telegram office of Division 164, this was because Division 1 had no fighting ships to handle such events"].

1000 **D54/50** Meas Voeun WRI, A19 ["The military forces under Meas Mut piloted boats in cooperation with my unit in Koh Kong. My military forces were deployed at various islands in Koh Kong at the time. Therefore, when military units under Meas Mut's division came to Koh Kong by boat, we always cooperated with each other in our work in that area"].

1001 **D54/34** Ing Chhon WRI, A2, 5 ["When the telegraph operators there received any orders from Ta Mut's place, those telegraph operators sent those orders to the ship commanders. [...] A5: When they [Division 1] located a target they sent the information to the ship unit, and then the ship unit reported on to Ta Mut by

telegram. Ta Mut would then send his orders back to the ship commanders on how to deal with those fishing boats”].

1002 **D54/52** Meas Voeun WRI, A3 [“We did not have authority to command the navy. If an incident occurred during our joint operations, Ta Soeung, who was commander of Division 1, would discuss it with Ta Mut before issuing orders to us to take our respective actions. My unit waited to get orders from our commanders, including Ta Soeung and Ta Mut”].

1003 **D54/53** Meas Voeun WRI, A17-18 [“We [Division 1] sent those [captured Thai] fishermen to the Navy at Kampong Som Port. [...] A18: We informed Ta Soeung, and he informed the Navy before we sent them”].

1004 **D54/50** Meas Voeun WRI, A20-21 [“Initially, Meas Mut communicated with Ta Soeun through radio. Then, Ta Soeun told me the vessels and military forces under Meas Mut would come to cooperate with my unit in Koh Kong [...] A21: I remember that they contacted each other only once in 1978”]. *See also* **D54/53** Meas Voeun WRI, A1, 9 [“Ta Soeung instructed me to share the information [on sighting a boat] with Sim at Naval Division 3. [...] A9: I remember that event, the capture of the two boats at Koh Kong Krau. Before Sim went to capture those two boats, he told me by radio that he was leaving to conduct an operation to capture them because they had entered our territorial waters about 50 nautical kilometers from Koh Kong Krau. I replied saying I agreed with him. Then I changed my radio frequency to his so we would be able to communicate with each other throughout the operation. Then I informed my units on the different islands about the operation. I told the DK76 and 20 mm units on Koh Ya, and the 105mm, 75mm and 12.7 mm guns units and 60 mm and 80 mm mortar units on Koh Kong about the operation to avoid friendly fire incidents”].

1005 **D54/54** Meas Voeun WRI, A5, 16 [“Sometimes, he [Meas Muth] met with Ta Soeung to [...] give instructions on operations in Cambodian territorial waters. His naval forces had the authority to conduct operations anywhere in Cambodian territorial waters, and he may have had authority over other units operating along the Mekong River as well. [...] A16: I do not know if they met regularly or frequently; but I noticed they held meetings when there were problems at sea, for example when Thai fishing boats had entered Cambodia's territorial waters”]. *See also* **D54/52** Meas Voeun WRI, A32 [“These meetings were conducted every day or every three days on Koh Kong Krau Island. The ships of Division 3 had been anchored next to Koh Kong Krau Island since early 1978. My unit was deployed throughout the entire surface of Koh Kong Krau Island at the time. The ships of the Division were anchored nearby”]; **D98/3.1.179** Meas Voeun, T. 8 Oct 2012, 11.43.48-11.46.56 [“Actually, the head of the division did not come to see me, but they sent their people representing the regiment and also the battalion, so that we could understand one another and that we should refrain from firing at one another”].

1006 **D54/54** Meas Voeun WRI, A4 [“Meas Mut was commander of Division 164, which was directly under the General Staff and the Centre. Division 164's status was different from that of my Division 1. As for me, I was only a member of the Division 1 committee, and my division was under the West Zone. My division Zone echelon and was lower than that of Meas Mut's Division, which was at Centre echelon”].

1007 **D54/54** Meas Voeun WRI, A5 [“I noticed his work reflected the duties of a member of the General Staff Committee because he had the authority to advise other military units such as my Division 1 on maritime operations”].

1008 **D54/63** Moeng Vet WRI, A1-2 [“As I remember, I attended only one meeting with Meas Mut, in which he announced the changing of division leadership; at that time he said, ‘Nhan will replace Rum in Division 117’. I remember attending the meeting, but I do not remember the date of the meeting [...] A2: Before Meas Mut walked into the meeting, he had [told] the messenger, and the other soldiers outside the meeting that ‘Your leaders are all traitors’”].

1009 **D54/63** Moeng Vet WRI, A19 [“As far as I know, Meas Mut began to be involved in responsibility for the eastern border in 1978 when the Vietnamese soldiers were striking strongly”].

1010 **D54/96** Teng Sarim WRI, A2 [“After defeating the Lon Nol regime in 1975, I was sent to guard along the Vietnamese border”], A4 [“I guard[ed] at the Vietnamese border until 1977”]; **D114/246** Pol Nhorn WRI, A8 [“Q: After the liberation of Phnom Penh in April 1975, where did they assign you to go? A8: We liberated Takeo and then they had the forces leave Takeo. Then they sent us to the Vietnamese border”]; **D114/287** Heang Reth WRI, A17 [“upon the arrival of the [DK] armed forces in Kampong Som, some of them were further sent to Krachak Ses and Poulo Wai islands. [...] At that time, Vietnam was not liberated [...] We had to occupy those islands because historically they belonged to Cambodia”]; **D114/282** Ek Ny WRI, A21-22 [“The soldiers from the sector's army and Division 3 were sent to Koh Polou Wai Island, Koh Polou Wai Thmei (New Polou Wai) Island, Koh Polou Wai Chas (Old Polou Wai) Island, Koh Rong Sanloem, Koh Rong Thom (Big Rong) Island, Koh M'noas Island, and Koh Tang Island. [...] A22: They began sending

them on 18 (April 1975)”; **D114/31** Moul Chhin WRI, A24-25 [“As I remember, right after the complete victory over Phnom Penh and Kampong Som Province they transported us by ship to guard the islands. Q: Immediately after the victory, correct? A25: Yes, correct”]; **D54/28** Liet Lan WRI, A14 [“When Phnom Penh collapsed, my unit was dispatched to Ream. At that time my unit was merged with Division 3 under the command of Meas Mut. Only a day after our stay in Ream, we were dispatched to Koh Seh Island, and we stayed there for about one month”]; **D54/47** Em Sun WRI, A8 [“I arrived in Kampong Som at around 6 p.m. on 18 April 1975. I stayed at Kampong Som Port for around one week, and later I was transferred to Koh Tang Island”], A47-48 [“Q: Can you recall the date when you were sent to Koh Tang Island? A47: It was perhaps on 26 or 27 April 1975. A48: [...] Around one week after we arrived on Koh Tang Island, Tak came on a BE boat, delivering some heavy weapons to us such as two DK-82 mm mortars, two DK-75 mm mortars, two DK-106 mm mortars, and two 12.7 mm machine guns”]; **D54/20** Sam Som (Saom) WRI, A3 [“I was assigned to Koh Seh Island, and then I went to Koh Tang Island in June 1975”]; **D54/38.1** Lun Seng DC-Cam Statement, EN 01072383, KH 00967310 [“after we ended the war on land on 17 April 1975, they told us to send troops there [...] They were deployed on various islands”]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969927-28, KH 00926305 [“Q: So after the fall of Phnom Penh on 17 April 1975, your force was sent to Kampong Som? A: Yes! [...] I reorganized the forces and made them ready for travelling to the island”], EN 00969933, KH 00926311 [“Q: Since the 1975 liberation you stayed only for a few days at Kang Keng before you were sent to the island? A: Yes!”]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432793 [“Phnom Penh was liberated on 17 April. Taking advantage of this period when we [in Vietnam] were concentrating on resolving pressing problems in the large cities right after they were liberated, the Pol Pot clique sent their troops [...] to seize and occupy our islands”].

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D234/2.1.1 SWB, *SRV Foreign Ministry Press Conference*, 7 Apr 1978, EN S 00010500-01, KH 00305306 [“On 4th May, 1975, Kampuchean troops landed on Phu Quoc island and on 10th May, 1975, they launched attacks from the mainland and from Hon Troc (Vai island) on Vietnam’s Tho Chu island and occupied it”]; **D234/2.1.13** SRV Government Statement, 31 Dec 1977, EN 00419878, KH 00656202 [“As early as the beginning of May 1975, Kampuchea employed its armed forces in attacks on Phu Quoc and Tho Chu islands, during which more than 500 civilians were carried off”]; **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, *Prime Minister Pham Van Dong Answers Interview by Viet Nam News Agency*, EN 00196229, KH 00283132 [“On May 4, 1975 the Kampuchean armed forces attacked Phu Quoc island”], *The Viet Nam-Kampuchea Border Question and the Policy of the Socialist Republic of Viet Nam for a Settlement of this Question*, EN 00196233, KH 00283136 [“violations of Vietnamese territory committed by the Kampuchea side in early May 1975 when the latter ordered its armed forces to land on Phu Quoc Island and to attack Tho Chu Island”]; **D69.1.30** Library of Congress Report, *Vietnam-Cambodia Conflict*, 4 Oct 1978, EN 00187387 [“April and May 1975: [...] The Cambodians (say the Vietnamese) attempt to seize Phu Quoc and Tho Chu Islands and kidnap 500 persons in the process”]; **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 13.44.10-13.48.37 [“[the Khmer Rouge] used the old regime’s patrol boat and armed men to go and seize the Phu Quoc and Tho Chau Islands”]; **D69.1.36** Foreign Languages Publishing House, *The Vietnam-Kampuchea Conflict (A Historical Record)*, EN 00187338 [“On May 4, [Kampuchean armed forces] landed on Phu Quoc Island, and on May 10, occupied Tho Chu Island, massacring many people and taking away 515 inhabitants”]; **D234/2.1.11** Tuoi Tre News, *A Deadly Landing by Khmer Rouge*, 15 Jan 2014, EN 01022513-14, KH 01218829 [“The Khmer Rouge [...] sent troops to land on Tho Chu Island in the southwest of Vietnam and kidnapped all 513 inhabitants there in May, 1975”], EN 01022517, KH 01218833 [“all 513 people aboard the two fishing boats of the Khmer Rouge were later confirmed to have all been killed in Koh Tang”]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192198, KH 00191318 [“Khmer Rouge launched a seaborne ground assault on [Phu Quoc Island] on May 4. Six days later, Khmer troops landed on Poulo Panjang Island (*Tho Chu* in Vietnamese and *Koh Krachak Ses* in Khmer) and evacuated at gunpoint five hundred Vietnamese inhabitants, who were never heard of again”]; **D54/74.1.15** Khieu Samphan, *Cambodia’s Recent History*, EN 00103758, fn. 58 [“on May 10, 1975, a unit of the young Khmer naval army seized the Poulo Panjuang islands [*Tho Chu*]”]; **D114/276.1.1** Tran Dai Quang, *Tho Chau – the Kidnapped Island*, 18 Jul 2016, EN 01507149, KH 01517418 [“May 1975 [...] Khmer Rouge troops occupied the islands of Tho Chau (Kien Giang Province) [...] Over 500 islanders were kidnapped and taken away”], EN 01507152, KH 01517422 [“on the night of May 23, 1975 [...] they took people away”]; **D114/266.1.4** Nhan Dan, *Initiators of the Massacre of the Kampuchean People and of the War Against Vietnam*, 15 Jul 1978, EN 01502612, KH 01506908 [“Within just 13 days of seizing power Kampuchea’s new rulers betrayed the militant solidarity that had been forged [...] by ordering their troops to attack the Vietnamese islands of Tho

Chu and Phu Quoc, thus embarking on the cruel war against our people which has now been going on for over three years”]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432793 [“on 03 May the Pol Pot reactionary clique in Cambodia sent out troops that attacked and occupied the northern part of Phu Quoc Island, occupied Hon Ong [Grandfather Island] and Hon Ba [Island] (collectively known as Poulo Wai Island) and Tho Chu Island, and murdered more than 500 of our compatriots who were long-time residents of these islands”].

- 1012 **D234/2.1.1** SWB, *SRV Foreign Ministry Press Conference*, 7 Apr 1978, EN S 00010501, KH 00305307 [“on 25th May, 1975, Vietnamese local armed forces were compelled to use their legitimate right of self-defence to drive the intruders out of Tho Chu island”]; **D114/287** Heang Reth WRI, A17 [“After North Vietnam liberated South Vietnam, they sent their armed forces to fight us [DK forces] and occupy Krachak Ses and Poulo Wai islands. [...] they [...] opened attacks on Krachak Ses Island, captured us as prisoners of war and sent us to Koh Tral”]; **D114/84** Ek Sophal WRI, A8 [“the armed forces who were sent to Koh Tral Island were surrounded by the Vietnamese soldiers and arrested. They became the prisoners of war”]; **D114/264** Chum Chy WRI, A29 [“on Koh Tral Island we had all become prisoners of war”]; **D114/283** Ek Ny WRI, A12 [“[The Vietnamese] took our islands: Koh Krachak Seh Island and Koh Poulo Wai Island. They smashed two of our battalions”]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192198, KH 00191318 [“Two weeks after the Khmer Rouge landing [on Tho Chu Island], the Vietnamese launched a counterattack, killing many Khmer soldiers and taking about three hundred prisoners”]; **D114/276.1.3** Tran Dai Quang, *Tho Chau - The Kidnapped Island: Failed Exchange*, 20 Jul 2016, EN 01506918, KH 01517425 [“After the three-day battle, on May 27, 1975, the Vietnam People's Army rescued Tho Chau, killed nearly 200 people and captured over 300 Khmer Rouge alive. However, the task of rescuing over 500 Tho Chau islanders did not succeed”]; **D69.1.36** Foreign Languages Publishing House, *The Vietnam-Kampuchea Conflict (A Historical Record)*, EN 00187338 [“Vietnamese regional armed forces drove the aggressors out of Tho Chu Island”]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432794 [“Catching the enemy by surprise, our forces totally destroyed one battalion of Pol Pot's troops and captured 300 prisoners”].
- 1013 **D54/74.1.15** Khieu Samphan, *Cambodia's Recent History*, EN 00103758, fn. 58 [“This triggered an immediate counter-attack by the Vietnamese forces that [...] led to the occupation of Poulo Wai Island”]; **D4.1.988** Ieng Thirith Statement, 17-18 Nov 1979, EN 00418974-75, KH 00658249 [“In May 1975, [the Vietnamese] occupied the island of Poulo Way”]; **D98/3.1.180** Meas Voeun, T. 9 Oct 2012, 09.16.58-09.19.41 [“Vietnamese soldiers attacked and seized control of [Poulo] Wai Island. That island was under the control of Muth”]; **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 09.34.11-09.36.16 [“the Vietnamese [...] also proceeded to Poulo Wai and controlled it for a few months”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 11.09.49-11.12.01 [“Vietnamese forces arrested 720 DK soldiers and detained them as prisoners of war in Kaoh Tral. [...] The arrests actually took place on the islands of Poulo Wai Chas and Poulo Wai Thmei [...] which [...] [were] part of the Kampuchean territorial waters”]; **D114/264** Chum Chy WRI, A13 [“we had not yet been stationed there for more than a few days, like on Koh Poulo Wai Island(s), when they [the Vietnamese] wanted to take our islands. [...] Vietnam came to commit aggression against our islands, opening fire on and even killing us in battles [...] they also captured Democratic Kampuchea troops and took them to put in jail”]; **D114/261** Chum Chy WRI, A4 [“After period of combat that I guess was most probably a week, of making seven days of war with the Vietnamese, and on account of having no food or ammunition and of having many dead and also many injured, it had to be stipulated that we had lost the war with the Vietnamese on Koh Poulo Wai Island(s). At that time, they captured some troops [...] They were taken as prisoners of war [...] Later, the prisoners of war were [...] jailed on Koh Tral Island”]; A5 [“it [had] only just become June or something like that when the Vietnamese army came to attack Koh Poulo Wai Island(s)”]; **D114/287** Heang Reth WRI, A17 [“After North Vietnam liberated South Vietnam, they sent their armed forces to fight us and occupy Krachak Ses and Poulo Wai islands”]; A29 [“Q: When you mentioned about the Vietnamese attacks and the reinforcement troops to intervene, to which island do you refer? A29: I refer to Poulo Wai Island”]; A41 [“Later on, Vietnamese troops took victory. They captured all our new and existing forces as prisoners of war, and brought us to Koh Tral”]; **D114/186** Sath Chak WRI, A111 [“Vietnamese forces attacked Poulo Wai Island [...] they did not allow any Khmer to stay on it. It is true that the Vietnamese captured people from my unit”]; **D54/98** Heang Ret WRI, A11 [“more than 200 personnel were sent to defend Koh Poulo Wai Island because at that time the Vietnamese had control of the island”]; **D54/78.1**, **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968395-96, KH 00926622 [“The three islands were taken [...] Koh Krachak Seh [...] Koh Poulo Wai Chas and Koh Poulo Wai Thmei [...] It was not quite long after the *Mayaguez* incident”]; **D114/27.1.1** New York Times, *Vietnam Said to Capture an Island off*

- Cambodia, 14 Jun 1975 ["An island off the coast of Cambodia was captured this week by Vietnamese troops [...] The battle was fought for Poulo Wai, a tiny rock island in the Gulf of Siam, about 60 miles from the Cambodian coast"]; **D1.3.25.3** The Times of London, *Vietnam and Cambodia in Fierce Clash*, 14 Jun 1975 ["the Wai Islands had been overrun by Vietnam forces after six days of fighting"]; **D114/276.1.3** Tran Dai Quang, *Tho Chau - The Kidnapped Island: Failed Exchange*, 20 Jul 2016, EN 01506918, KH 01517426 ["On June 5, 1975, Vietnamese troops opened fire on the Khmer Rouge on Hon Ong and Hon Ba [Poulo Wai islands]. [...] During the 10 days of fighting, the Vietnamese army destroyed two Khmer Rouge battalions, captured 320 prisoners"]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237903, KH 00232264 ["Vietnam then recaptured Puolo Wai"]; **D1.3.25.4** Herald Tribune, *Cambodians and Vietnamese Said to Battle Over Islands*, 14-15 Jun 1975 ["the sharpest fighting reported so far took place Tuesday on Poulo Wai, a tiny island 60 miles offshore. [...] According to one account, [...] as many as 200 North Vietnamese regulars landed on the island"].
- 1014 **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 09.34.11-09.36.16 ["[the Vietnamese] also proceeded to Puolo Wai and controlled it for a few months before they returned it to the Khmer Rouge regime"], 13.57.46-14.00.18 ["[The Vietnamese] had captured Puolo Wai, which was a Cambodian island, and which they returned later on as a result of the negotiation"]; **D54/105** Ek Ny (Ni) WRI, A4 ["the Vietnamese soldiers fought and took control of these two Poulo Wai Islands for three months"]; **D114/264** Chum Chy WRI, A47 ["the international community had Vietnam return the old and new Koh Poulo Wai Islands urgently to Cambodia"]; **D54/78.1**, **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968396, KH 00926622 ["We went to the three islands immediately after their arrival, but the Yuon returned only two of them to us. [...] They did not return Koh Krachak Seh. [...] They returned only Koh Poulo Wai Chas and Koh Poulo Wai Thmei"].
- 1015 See, e.g., **D4.1.237** CPK Standing Committee Minutes, 2 Nov 1975, EN 00183414, KH 00019134 (*Koh Thmei after mid-1975*); **D1.3.30.2** DK Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976 (*Koh Tral, Jan 1976*); **D234/2.1.141** Ma Chhoeun, T. 12 Dec 2016, 14.53.58-14.55.15 ["My battalion was based at Koh Seh and Koh Thmei"], 14.58.56-15.01.30 ["we remained there until 1978-79"], 15.05.00-15.06.30 ["the fighting took place at sea. [...] Usually, the Vietnamese forces attacked us first and we had to counterattack"] (*May 1975-1978*); **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 10.42.02-10.43.34 (*Koh Tral until late 1975*); **D114/19** Mak Chhoeun WRI, A23 ["We were ordered to fire when we encountered [Vietnamese boats on Koh Thmei Island]"], A24 ["At that time, when there was conflict between Vietnam and Cambodia, there was fighting on Koh Krachak Seh Island and Koh Poulo Wai Island"] (*1975-1976*); **D54/93** Yem Sam On WRI, A2 ["Q: Could you describe what Division 3 did from 1975 to 1976? A2: [...] The other soldiers of Division 3 were stationed on the islands to defend the territorial waters"]; **D59/1/1.7a** Ma (Mak) Chhoeun DC-Cam Statement, EN 00969934-35, KH 00926310-11 (*Koh Seh, Koh Tral 1975, Koh Thmei 1976*); **D54/78.1**, **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968388, KH 00926615 ["Defence forces were deployed to Koh Poulo Wai Chas, Koh Poulo Wai Thmei, Koh Tang, Koh Prins, Koh Vear after being revised downward. Earlier, there were also defence forces on Koh Rong"] (*1975-1976*); **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192190, KH 00191310 ["The fall of Saigon and Phnom Penh was followed by bloody clashes between the victorious Vietnamese and Cambodian Communists over the control of islands in the Gulf of Thailand"].
- 1016 **D69.1.36** Foreign Languages Publishing House, *The Vietnam-Kampuchea Conflict (A Historical Record)*, EN 00187338 ["as early as May 1, 1975, the Kampuchean armed forces violated Vietnam's territory at several places along the border from Ha Tien to Tay Ninh"]; **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196229, KH 00283132 ["on May 8, 1975, [Kampuchean armed forces] encroached on Vietnamese territory at various places from Ha Tien to Tay Ninh"]; **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400 ["May 1975, when the Khmer Rouge attempted to seize [...] border provinces"].
- 1017 **D4.1.866** *Revolutionary Flag*, Feb 1978, EN 00464060-61, KH 00064437 (*Ratanakiri, Svay Rieng & Kampot, May 1975 onwards*); **D1.3.25.4** Los Angeles Times, *Cambodians and Vietnamese Said to Battle Over Islands*, 13 Jun 1975 ["Cambodian and Vietnamese forces have exchanged fire in a series of small-scale conflicts during the past month [...] some clashes have also taken place on the mainland, particularly in the Parrot's Beak border area, which once provided 'sanctuary' for Viet Cong troops during the war. [...] There has been no apparent pattern to these clashes, which have mostly involved exchanges of small-arms fire between little troop units"]; **D1.3.25.5** New York Times, *Vietnamese Forces Reported in Clash with Cambodians*, 22 Jun 1975 ["some of the fighting occurred near the Parrot's Beak frontier of South Vietnam"]; **D1.3.25.7** Facts on File World News Digest, *Vietnamese, Thai Clashes*, 26 Jul 1975 ["U.S. government

- officials reported June 21 that North and South Vietnamese troops had fought against Cambodian soldiers in a number of border areas, including the Parrot's Beak frontier of South Vietnam”].
- 1018 **D4.1.237** CPK Standing Committee Minutes, 2 Nov 1975, EN 00183413, KH 00019134 [“Forces in Ratanakiri must be sent quickly”]; **D4.1.1000** Telegram from Angkar to Comrade Ya, 11 Nov 1975 [discussing a plan to mobilise 300-400 forces to attack the enemy and other forces for ambushes, and what methods and weapons to use].
- 1019 **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196223, KH 00283124 [“In December 1975, Kampuchean armed forces again attacked and occupied Vietnamese territory in the provinces of Gia Lai-Kontum and Darlac”]. EN 00196239, KH 00283144 [“the Kampuchean armed forces repeatedly intruded into Vietnamese territory from [...] even ten kms (as in the December 1975 attack on the Sa Thay River area, Gia Lai-Kontum province”]; **D234/2.1.13** SRV Government Statement, 31 Dec 1977, EN 00419878, KH 00656202 [“In December 1975 Kampuchean armed forces again attacked and occupied Vietnamese territory in the provinces of Gia Lai-Kontum and Darlac”].
- 1020 **D1.3.29.2** SWB, *Pol Pot on the Conflict with Vietnam*, 17 Jan 1978, EN S 00008671, KH 00224838 [“between 1975 and 1976, each month we suffered an average of more than 30 dead and wounded as a result of daily Vietnamese bombardment and strafing”]; **D4.1.1029** DK Government Statement, 31 Dec 1977, EN 00713105, KH 00442396 [“In 1975 and 1976, Vietnam continued invading Cambodia”]; **D234/2.1.7** DK Government Statement, 31 Dec 1977, EN 00419870, KH 00591048 [“In 1975 and 1976, Vietnam has unceasingly carried out acts of aggression”]; **D4.1.338** Telegram 34 from Chhean to Brother, 29 Apr 1977, EN 00305248, KH 00001282 [a letter issued on 2 April from the Vietnamese asserted that “Since December 1975, the Cambodian side had continuously stirred up various troubles including [...] attacking the Vietnam’s Radio Station 8”]; **D1.3.34.1** Telegram from 05 to Uncle 89 (Son Sen), 23 Jan 1976 [“In the night of 22 January 76, the Vietnamese secretly came to our camp at the front and at the back, attacking our patrol guards. [...] At 11 o’clock on this 23 January 76, they sent more troops to attack us again”] (*O Vay, Northeast Zone*); **D1.3.34.2** Telegram 78 from But to M-870 and Brother Vi, 26 Jan 1976, EN 00182620-21, KH 00000709 [disagreements with a Vietnamese delegation regarding Saob Village, O Vay, and Route 19]; **D1.3.34.3** Telegram from Chhin to Brother 89 (Son Sen), 8 Feb 1976 [“[the Vietnamese] had moved one kilometer into our territory. [...] Our soldiers ordered them to withdraw completely from that place but they have not done yet. [...] [we] are going to inspect the borderline. For the inspection, [we] shall go deep into the border”]; **D1.3.34.4** Telegram from Ya to Respected Brother(s), 17 Feb 1976 (*O Vay, Muy Chass Village*); **D1.3.34.5** Telegram from Chhin to Brother 89 (Son Sen), 29 Feb 1976 [“from 15 to 24 February 1976, 60 Sevens entered two kilometres into our territory right at Au Rang ... We smashed them all with grenades”] (*Au Rang*); **D1.3.34.6** Telegram 25 from Ya to Respected Brother(s), 7 Mar 1976, EN 00183709, KH 00021466 [in a meeting with a Vietnamese delegation: “[They] raised the situation in Pho Muy-O Vay village, saying there have been mutual clashes and bloodshed. They said that the place [where the clashes happened] was in their territory, etc. [...] [They] raised the situation in 105 [Region 105] where fighting had occurred once again from 25 to 29 February. They said Cambodian side entered Group 7’s territory as far as about 4 to 5 kilometers, south of Dak Hut”] (*Northeast Zone, O Vay, Dak Hut Vietnam*); **D4.1.234** Telegram from Chhin to Brother 89 (Son Sen), 3 Mar 1976, EN 00185238, KH 00052345 (*28 February DK attacks into Vietnamese territory, O Hoch*); **D1.3.27.2** CPK Standing Committee Minutes, 22 Feb 1976, EN 00182625, KH 00000713 (*Ratanakiri, Svay Rieng, and Ka-am Samnar*); **D4.1.330** Telegram from Chhin to Say, 19 Feb 1976 (*Au Hoch - Mondulkiri*); **D1.3.30.3** DK Report from Office S-21 to Angkar, 23 Mar 1976, EN 00323475, KH 00052906 (*18 and 20 March shootings at the borders near Ka-am Samnar, Chrum, Ampilteuk, and Veal Sbov*); **D1.3.34.8** Telegram 21 from Chhon to Brother Pol (Pol Pot), 21 Mar 1976 (*Sector 24, East Zone*); **D4.1.66** CPK Standing Committee Minutes, 11 Mar 1976, EN 00182636, KH 00000737 (*Ratanakiri, Takeo, Kratie*); **D4.1.333** DK Report from Chhin to Brother 89 (Son Sen), 9 Mar 1976 [reporting that 240 well-armed Vietnamese forces are deployed along Au Dak Dam “And they told us that in four days they would be deploying on our soil five kilometres [away from their border]”] (*Au Dak Dam*); **D1.3.27.3** CPK Standing Committee Minutes, 26 Mar 1976, EN 00182657, KH 00000757 (*Kbal Cham-East Zone; territorial waters*); **D1.3.27.6** CPK Standing Committee Minutes, 14 May 1976, EN 00182693, KH 00000810 (*eight clashes in Mondulkiri since March*), EN 00182696, KH 00000813 (*Ratanakiri*); **D1.3.29.4** DK Government Statement, 17 Apr 1978, EN 00305342, KH 00223154 [“why has Vietnam constantly waged criminal activities in an attempt to annihilate the leadership of Democratic Kampuchea? [...] It tried again in April and in September 1976”]; **D1.3.12.7** DK Report, 31 Aug 1976, EN 00233966, KH 00021507 [in Sector 21: “July 12, 1976 [...] At the border of Tramaung, they fire and shell at our territory”; in Sector 23: “July 14,

- 1976: At the border near Veal Kradas and Krachas Veal, there is a sound of barking dogs and ox-carts moving [...] until the morning. [...] all of them are their soldiers. In the village, there are explosions and gunfire”] (*East Zone*); **D1.3.27.14** DK Military Meeting Minutes, 7 Sep 1976, EN 00184780, KH 00083159 (*small clashes in the East and Southwest Zones*); **D1.3.27.24** DK Military Meeting Minutes, 16 Dec 1976, EN 00923160-61, KH 00052333 (*O Raing, Dak Dang, Pich Chenda-Mondulkiri*); **D234/2.1.6** Republic of France Consul General Letter, 20 Oct 1977, EN 00503975, KH 00492877 [“While it is likely that there were a number of small-scale border clashes throughout 1976, they have become more or less public knowledge chiefly because of the seriousness of this year’s incidents”]; **D54/28** Liet Lan WRI, A17, A19 [“Q: [...] when did you fly to China? A17: It was in January 1976”], A19 [“The Cambodian Ambassador told us to study hard because there was fighting against the Vietnamese again along the Cambodian border”]; **D32/7** Eng An alias Ou WRI, A41 [“Q: Can you recollect the year when your soldiers first attacked in Vietnamese territory? A41: It was probably in 1976”], A44 [“we attacked with 60 mm and 80 mm mortars from Ta Am village to Krasang and Tnaot villages”], A46 [“there were both soldiers and civilians [in the villages]”], A50 [“Within less than 10 days after the first attack, my company launched another attack and we succeeded. At that time, our companies launched the attack together and captured both villages”] (*Kampong Cham*); **D114/223** Bon Pin WRI, A57-58 [“There were always combats along the border from late 1976 to 1979. [...] A58: Fighting into Vietnam territory took place at some sites”]; **D98/3.1.155** Loek Sav SOAS/HRW Statement, EN 00352029, KH 00786160 [“The first clash with the Vietnamese was in late 1976 [...] in Bos Ta Kok, west of Beng and east of S’am. [...] The Vietnamese attacked on a small scale in Toek Chrov [...] Then, in early 1977 [...] the Zone ordered us to do counter-reconnaissance and counter-attack”] (*Kampong Cham*).
- 1021 **D114/297.1.38** Sov Maing alias Sao Champi, T. 27 Oct 2016, 09.55.40-10.03.30 (*Ou Reang District, Dam Dak*).
- 1022 **D234/2.1.122** Chhun Samorn, T. 28 Jun 2016, 09.40.12-09.43.50 [“We were sent to the border areas, especially when there were tense situations with Vietnam. [...] in 1976, the Khmer Rouge and Vietnamese soldiers fought each other fiercely [...] There was tense fighting between Khmer Rouge soldiers in Sector 23 and the Vietnamese soldiers in Svay Rieng, that was very tense fighting. [...] there were many casualties on both sides. [...] it was in Romeas Haek district of Svay Rieng province. The fighting took place in Doung village, Toul Prasat, Batras, Kaoh Kmas. It was a very fierce battle”], 13.38.29-13.41.03 [“in 1976; [...] the clashes between Cambodian and Vietnamese forces along the border became intense. And Vietnamese forces attacked the Khmer Rouge forces and at one point, they advanced into Svay Rieng province”].
- 1023 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 11.22.14-11.24.32 [“the conflict started in 1976, since I was in Kiri Vong; however, it became intensified at a later stage in 1977”] (*Kiri Vong District, Takeo Province*).
- 1024 **D1.3.27.2** CPK Standing Committee Minutes, 22 Feb 1976 [“Comrade Khieu reported that since early February, Vietnam has acted strongly along our Eastern border, especially in Ratanakiri, Svay Rieng, and Ka-am Samna. They have entered and deployed 200 meters to three kilometers from the border, inside our territory”]; **D1.3.30.3** DK Report from Office S-21 to Angkar, 23 Mar 1976, EN 00323475, KH 00052906 [“Vietnamese [...] intruded into our territory at a distance of 105 m from the border in Ka-am Samnor. Our brothers and sisters shot at them [...] On 18-3-76, in the morning, we were working at the riverside. A moment after we [had] drawn back, the Vietcong came and shot 8 rounds of M-79”] (*Southwest Zone-Sector 25, Ka-am Samnar; border at Chrum, Ampilteuk, Veal Sbov*); **D1.3.34.9** Telegram from Office S-21 to Angkar, 23 Mar 1976 [“At 9:00 AM of 20-3-76, a platoon of Vietcong entered 150 meters deep from the border. They retreated after one hour of fighting”] (*Southwest Zone-Sector 25, Ka-am Samnar*).
- 1025 **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195341, KH 00052390 [Comrade Muth (Meas Muth): “Vietnam-the sea border. When we approach near to the sea demarcation line, they always open fire”]; **D114/27.1.5** DK Military Meeting Minutes, 19 Sep 1976, EN 00183971, KH 00052390 [Comrade Mut (Meas Muth): “For Vietnam, when we approached the maritime line, they always opened fire. Now we are also preparing for fight in case that they are approaching this line”]; **D54/78.1**, **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968378-79, KH 00926607 [“Q: Approximately in which year did you go to Koh Tang? A: Approximately in late 1976”], EN 00968397, KH 00926623 [“Q: So when you arrived on Koh Tang, as for something like fishing boats from Thailand or Vietnam entering the marine territory, what measures did you take? A: We seized them”].
- 1026 **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00195348, KH 00052397 [Brother 89 (Son Sen): “there has been some activity [...] at Koh Tral, related to the enemy to the east”].
- 1027 **D69.1.21** Khieu Samphan Statement, 17 Apr 1978, EN 00280391, KH S 00704517 [“Vietnam ventured to launch a wide scale, barbaric and cruel war of aggression against Democratic Kampuchea. As such, from 17

April 1977 to 17 April 1978, especially from September 1977, [it] has been going on non-stop”; **D234/2.1.7** DK Government Statement, 31 Dec 1977, EN 00419873, KH 00591051 [“During Vietnamese invasions of Democratic Kampuchea’s territory in 1977”]; **D234/2.1.4** Republic of France Ministry of Foreign Affairs, *Circular Note No 210*, 5 Jul 1977, EN 00751819, KH 00810726 [“The repeated references to the efforts of the revolutionary troops in ‘defending the land border’ (in the Kampot region, it is specified) and the maritime border, clearly indicate, for the first time, that incidents with Vietnam have occurred”]; **D234/2.1.6** Republic of France Consul General Letter, 20 Oct 1977, EN 00503976, KH 00492878 [“Vietnamese authorities are no longer concealing the incidents pitting them against the Cambodians. The incidents flare up here and there at border posts along the whole frontier, from the high plateaux to the coastal area”]; **D32/14** Long Sat WRI, A2 [“In 1977, military offensives were launched against Vietnam from many directions to warn Vietnam that Cambodia was not as weak as thought”]; **D114/223** Bon Pin WRI, A57-58 [“There were always combats along the border from late 1976 to 1979. [...] A58: Fighting into Vietnam territory took place at some sites”]; **D114/209** Moeng Seng WRI, A59 [“The fierce fighting between the Khmer Rouge and Vietnamese troops occurred in late 1977”]; **D59/1/1.29** Nget Chanthau DC-Cam Statement, EN 00968433, KH 00733608 [“by 1977 there was a main movement and we had to fight against the Yuon from the South”].

1028 **D54/87** Prum Sarat WRI, A129 *confirming* **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974207, KH 00926385 [“during the two-year period, we [the military] caught [Vietnamese] almost every month. They came to Koh Tang island and Koh Vai island”].

1029 **D32/5** Kev Vichet alias Kev Sao WRI, A2 [“Q: What was your company’s number? A2: It was Company 47 of Battalion 103”], A7 [“It was at 1 a.m. on 1 January 1977. My company started launching an attack against Vietnam at Smach village within the Vietnamese territory”], A9 [“Later on, Vietnam sent their agents on bicycles to the place, and since we opened fire at them, they returned. After that they launched full-fledged counter-attacks against us with tanks, artilleries, aircrafts and the Vietnamese soldiers from Fortress 27”]; **D32/11** Khieu Saran WRI, A3 [“Q: To your knowledge, was the attack on the Vietnamese [troops] in January 1977 restricted only in the East Zone’s sectors? A3: Yes. It was in the East Zone’s sectors along the border”], A5 [“The Democratic Kampuchea soldiers based in Kamchay Mea attacked the Vietnamese troops in the forests along the border in Tay Ninh province. The Vietnamese army counterattacked, advancing into the lower areas”], A9 [“The fighting was persistent from 1977 until May 1978 when I fled into the jungle. When I was in the jungle, I still heard the exchange of artillery and gunfire”]; **D32/10** Khieu Saran WRI, A25 [“Q: When did the DK troops of the east zone invade Vietnam for the first time? A25: In early 1977”]; **D98/3.1.155** Loek Sav SOAS/HRW Statement, EN 00352029, KH 00786160 [“in early 1977 [...] the Zone ordered us to do counter-reconnaissance and counter-attack. The reconnaissance went across the border in places”] (*Kampong Cham*).

1030 **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196227, KH 00283128-29 [“on the night of April 30th and on May 1st this year, large units of the Kampuchea armed forces with the strong support of artillery and mortars positioned on Kampuchean territory, crossed the border and launched simultaneous attacks on nearly all posts of the Vietnamese people armed security forces and on 13 of the 14 villages along the border in An Giang province”]; **D234/2.1.1** SWB, *SRV Foreign Ministry Press Conference*, 7 Apr 1978, EN S 00010503, KH 00305311-12 [“April 1977 marked an increase in the Kampuchean authorities’ mobilization of a very large force, of many divisions with the strong support of artillery clusters based in Kampuchea, to carry out concerted attacks on almost all border areas, from Ha Tien in Kien Giang Province to Tay Ninh”]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192272, KH 00191402 [“On the night of April 30, 1977, the Khmer Rouge had mounted attacks on a string of villages and townships in An Giang Province in the Mekong Delta, killing civilians and burning down houses. The attack on Tinh Bien township alone had caused about one hundred civilian deaths”]; **D32/12.1** Pham Van Tra, *A Soldier’s Life: A Memoir*, EN 00432802 [“On the night of 30 April 1977 [...] Pol Pot sent seven battalions of his 2nd Infantry Division and local force units from his Southwestern Military Region to attack many areas in An Giang and Kien Giang Provinces. The focal point of the enemy’s attack was the Seven Mountains-Tinh Bien-An Giang area. The enemy massacred hundreds of civilians and burned down more than one hundred houses”].

1031 **D1.3.25.15** New York Times, *Refugees Report Clashes on Cambodia-Vietnam Line*, 9 Aug 1977 (*An Giang and Kien Giang*); **D234/2.1.6** Republic of France Consul General Letter, 20 Oct 1977, EN 00503973, KH 00492874 [“extremely serious incidents in May that pitted Vietnamese forces against Cambodian fighters in the Chau Doc region (Western Cochinchina) and, as reported, close to Ha Tien on the coast of the Gulf of Thailand and in the Highlands”]; **D234/2.1.4** Republic of France Ministry of Foreign Affairs, *Circular Note*

No 210, 5 Jul 1977, EN 00751822, KH 00810729 ["between 14 and 16 June, there were violent clashes in Chau Doc province and near Ha Tien"]; **D234/2.1.10** Facts on File World News Digest, *Cambodia-Vietnam Border Clashes*, 13 Aug 1977, EN 00166106, KH 00826226-27 ["Heavy fighting had raged along the Cambodian-Vietnamese border in May, forcing the Vietnamese to temporarily evacuate two of their southern frontier towns [...] Chau Doc was struck by two mortar shells [...] Chau Doc was vacuated May 17 after it was struck by gunfire that caused 40 casualties. [...] Ha Tien had been evacuated May 16 after a shelling attack and a ground thrust from Cambodia"]; **D64.1.34** Bangkok Post, *Refugees Cite Major SRV-Cambodian Clashes, Reprisals*, 1 Sep 1977, EN 00168725 ["Elements of the Khmer Rouge 2nd Division moved up as reinforcements, deploying in border areas west of Ha Tien, Tinh Bien and Chau Doc. The Vietnamese also reinforced, at the same time ordering the evacuation from these centres, and especially Ha Tien"]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432803 ["in 1977, from May to early June the enemy [Khmer Rouge] attacked and occupied a portion of our territory from Dong Thap down through An Giang to Kien Giang. [...] enemy forces from Kampot massed a large force that attacked Ha Tien, and one enemy attack column penetrated almost all the way to the Ha Tien Cement Factory"].

1032 **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196224, KH 00283138 ["On June 7, 1977, the Central Committee of the Communist Party of Viet Nam and the Government of the Socialist Republic of Viet Nam sent another letter to the Central Committee of the Communist Party of Kampuchea and the Government of Democratic Kampuchea proposing that meetings be held as early as possible between high-ranking leaders of the two Parties and the two Governments so as to solve the border issue between the two countries"]; **D4.1.1078** SWB, *Vietnamese Government Statement Rejects Cambodia's 'Distortion'*, 31 Dec 1977, EN S 00008732, KH S 00847598-99 ["Early in April 1976, the CPV Central Committee and the CPK Central Committee agreed that leadership of the two Parties would meet in June 1976"]; **D234/2.1.1** SWB, *SRV Foreign Ministry Press Conference*, 7 Apr 1978, EN S 00010503, KH S 00305312 ["on 7th June 1977, the Central Committee of the CPV and the Government of the SRV sent a letter to the Central Committee of the CPK and the Government of Democratic Kampuchea, in which they expressed 'the sincere desire to rapidly settle the border question'"].

1033 **D234/2.1.1** SWB, *SRV Foreign Ministry Press Conference*, 7 Apr 1978, EN S 00010504, KH 00305312 ["In their reply dated 18th June, 1977, the Central Committee of the CPK and the Government of Democratic Kampuchea held that a meeting was necessary, but they proposed to 'wait until the situation returns to normal and some time without further border clashes elapses ...' before any meeting to be held"]; **D4.1.1078** SWB, *Vietnamese Government Statement Rejects Cambodia's 'Distortion'*, 31 Dec 1977, EN S 00008732, KH S 00847597-98; **D234/2.1.13** SRV Government Statement, 31 Dec 1977, EN 00419879, KH 00656203; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192277, KH 00191408-09.

1034 **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196224, KH 00283138 ["However, it was precisely at that time that Kampuchea increased its military attacks, its encroachments upon Vietnamese territory and its massacre of Vietnamese civilians"]; **D234/2.1.13** SRV Government Statement, 31 Dec 1977, EN 00419879, KH 00656203; **D4.1.1078** SWB, *Vietnamese Government Statement Rejects Cambodia's 'Distortion'*, 31 Dec 1977, EN S 00008732-33, KH S 00847597-601; **D114/29.1.1** Tea Tit WRI, EN 00284712 ["Ta Ngeach announced on 25 July 1977 an expansion of troops and started fighting the Vietnamese. The fighting with the Vietnamese happened continually until the troops were defeated and broken in late 1978"]; **D64.1.34** Bangkok Post, *Refugees Cite Major SRV-Cambodian Clashes, Reprisals*, 1 Sep 1977, EN 00168725 ["The heaviest fighting occurred in May and June"]; **D1.3.25.15** New York Times, *Refugees Report Clashes on Cambodia-Vietnam Line*, 9 Aug 1977 ["Early in June, a number of villages northwest of Ha Tien on the Vinh Te Canal were captured by troops from Cambodia and were still held when the refugees left"].

1035 **D1.3.25.59** FBIS, *NCNA Cites Phnom Penh on SRV Bombing of Cambodia*, 26 Jul 1978, EN 00166085-86, KH 00225470-71 ["The Vietnamese authorities have repeatedly sent aircraft to bomb and strafe villages in Kampuchea since early July and committed grave crimes, Radio Democratic Kampuchea reported today. [...] They sent aircraft on July 2, 3, 7 and 8, four each time, to bomb and strafe Sden, Som and Dah villages of Punnie Khenleap District along Highway 7. [...] On July 19 and 24, the Vietnamese authorities sent six and ten planes respectively to bomb Highway 10 in Svay Rieng Province"]; **D4.1.1029** DK Government Statement, 31 Dec 1977, EN 00713106, KH 00442398 ["In June 1977, Vietnam was still invading the Kampuchean border"]; **D1.3.30.21** DK Report from Region 21, 20-24 Jun 1977 [describing border clashes at Tramaung and Memut border, Tramaung District]; **D69.1.23** News from Kampuchea, *Statement by Ieng Sary, Minister of Foreign Affairs*, 17 Mar 1978, EN S 00011306 ["at the beginning of July, 1977, Vietnam

escalated its acts of aggression against Kampuchea”]; **D64.1.34** Bangkok Post, *Refugees Cite Major SRV-Cambodian Clashes, Reprisals*, 1 Sep 1977, EN 00168725 [“The flare-up in fighting came as result of a deliberate Vietnamese move designed to punish Khmer Rouge units for what one observer called ‘provocative patrols’”], EN 00168726 [“In the following month [July], the Vietnamese increased their reconnaissance intrusions into Cambodia. These were supplemented by occasional air strikes [by] helicopter gunships, U-17s and sometimes jets”]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432804 [“in mid-June 1977 we conducted a division-sized combined arms counterattack. [...] The 2nd Regiment quickly annihilated all enemy forces at Dam Chich and Vinh Dien Village, killing more than 200 enemy soldiers [...] We recovered the entire border area in Ha Tien”]; **D234/2.1.3** Christian Science Monitor, *Communist Neighbors Feuding?*, 17 Aug 1977 [“Cambodians also are fighting a serious border dispute with Communist Vietnam. [...] The Cambodia-Vietnam fighting was highlighted last week when Defense Minister Vo Nguyen Giap paid visit to the troubled area and publicly ordered Vietnamese forces to ‘defend territorial waters, the national border, and offshore islands’”]; **D64.1.34** Bangkok Post, *Refugees Cite Major SRV-Cambodian Clashes, Reprisals*, 1 Sep 1977, EN 00168725 [“The scale and ferocity of the clashes dwarf any of the recent incidents along the Thailand-Cambodia or Thailand-Laos borders. Vietnamese and Cambodian regular force units in formations sometimes as large as 4,000 to 5,000 on both sides, have been fighting in the Ha Tien-Chau Doc sector of the Vietnam-Cambodia border. [...] Khmer Rouge units in Kompong Chhnang province have executed some 420 ethnic Vietnamese”].

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D1.3.34.24 Telegram 62 from Chhean to M-81, 12 Aug 1977, EN 01313132, KH 00001248 [“news was circulated that [...] Cambodian troops had killed 1,000 (one thousand) Vietnamese people in Ha Tien, Kien Giang province”]; **D1.3.34.26** Telegram 68 from Chhean to M-81, 30 Aug 1977 (*An Yang, Hien Yang, Long An and Tay Ninh provinces*); **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196227, KH 00283129 and EN 00196235-39, KH 00283138-44 (*An Giang, Long An, Tay Ninh, Kien Giang, Dong Thap; East Zone*); **D1.3.30.19** DK Report from Southwestern Zone to Angkar, 3 Jun 1977, EN 00185243, KH 00052825 (*Takeo*); **D114/297.1.39** Ieng Phan, T. 31 Oct 2016, 09.55.03-10.00.47 (*Takeo, Kampot provinces*); **D114/297.1.38** Sov Maing alias Sao Champi, T. 27 Oct 2016, 10.01.36-10.03.30 [“The fighting [...] became more intensified throughout 1977 and ’78”] (*Dak Dam border - Mondulkiri*); **D1.3.30.7** DK Report from Roeun, 24 Mar 1977 (*Stung Treng, Ratanakiri*); **D234/2.1.4** Republic of France Ministry of Foreign Affairs, *Circular Note No 210*, 5 Jul 1977, EN 00751822, KH 00810729 [“Fighting was also reported in the Cambodian province of Svay Rieng (the region known as Parrot’s Beak); the clashes left 400 people dead. Second, between 14 and 16 June, there were violent clashes in Chau Doc province and near Ha Tien”] (*Svay Rieng, Chau Doc*); **D1.3.34.19** DK Report from Region 23, 14-18 Jun 1977 (*Sector 23 - Svay Rieng*); **D1.3.34.22** DK Report from Region 20, 17-25 Jun 1977 (*Ponhea Kraek District, Sector 20 - Kampong Cham*); **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.29.14-15.33.55 (*Kratie*); **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 11.07.07-11.13.32, 11.14.40-11.19.12 (*Ratanakiri, Mondulkiri, Kratie, Kampong Cham, Kampot, Takeo*); **D234/2.1.122** Chhun Samorn, T. 28 Jun 2016, 09.47.49-09.51.50 (*Sector 23 - Svay Rieng*); **D10.1.58** DK Report from Roeun to Uncle 89 (Son Sen), 24 Mar 77, EN 00538731, KH 00231377-78 (*Northeast Zone-Steung Treng*); **D1.3.30.11** DK Report to M-870, Apr 1977 (*East Zone*); **D1.3.34.17** Telegram 43 from Leu to Brother Reuan, 23 Apr 1977 (*Sector 107 - Ratanakiri*); **D1.3.34.18** Telegram 54 from Chhan to M-870, 20 May 1977 (*Mondulkiri*); **D234/2.1.2** DK Report from Sector 21, 20-21 May 1977 (*East Zone*); **D1.3.30.20** DK Report from Sector 20, 8 Jun 1977 (*East Zone*); **D1.3.34.20** Telegram 07 from Vi to Respected Brother, 15 Jun 1977 (*Sector 107 - Ratanakiri*); **D234/2.1.8** Telegram 85 from Lin to M-870, 13 May 1977 [on 11 May 1977: “in the vicinity of Veal Roam, southwest of Wat Tnaot [...] the enemies started firing guns gradually”] (*Ponhea Kraek District, Sector 20 - Kampong Cham*); **D1.3.30.21** DK Report from Region 21, 24 Jun 1977 (*Sector 21 - East Zone*); **D1.3.34.29** Telegram 39 from Chhon to Brother Pol (Pol Pot), 24 Sep 1977 (*Daem Thngan*); **D1.3.34.30** Telegram 41 from Chhun to Brother Pol (Pol Pot), 26 Sep 1977 (*Svay Rieng*); **D234/2.1.13** SRV Government Statement, 31 Dec 1977, EN 00419878-79, KH 00656202-03 (*Ha Tien to Tay Ninh, Chau Doc, Apr 1977; Kien Giang, An Giang, Dong Thap, Long An, Tay Ninh, Jun 1977*); **D234/2.1.15** Telegram 96 to Office 81, EN 00314585, KH 00002824 (*Tay Ninh, Kien Giang, Sep 1977*); **D69.1.30** Library of Congress Report, *Vietnam-Cambodia Conflict*, 4 Oct 1978, EN 00187388 (*Tay Ninh, Sep 1977; Kien Giang*); **D234/2.1.7** DK Government Statement, 31 Dec 1977, EN 00419866-67, KH 00591044-45 (*East Zone, Sep 1977; Svay Rieng, Nov 1977; Takeo, Dec 1977; everyday harassment in Ratanakiri, Mondulkiri, Kratie, Pray Veng, Kandal*); **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196235-38, KH 00283138-43 (*Kien Giang, An Giang, Dong Thap, Long An, Tay Ninh*); **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507019-20, KH 01197638-39 (*Kratie, 1977*);

- D114/157.1.4** Hao Ao DC-Cam Statement, EN 01507106-07, KH 01197698-99 (*Kratie, 1977*); **D64.1.34** Bangkok Post, *Refugees Cite Major SRV-Cambodian Clashes, Reprisals*, 1 Sep 1977, EN 00168725-26 [“the Vietnamese action appears to have been in response to a rising incidence of clashes all along the border—from the seaport of Ha Tien to remote stretches of Cambodia’s northeastern province of Ratanakiri. [...] From May 2 to 9, the Vietnamese air force struck at Cambodian artillery emplacements and military barracks up to 15 nautical miles inside the border east of Kompong Trach and other Cambodian centres”] (*Ratanakiri, Mondulkiri, An Giang, Kien Giang, Quang Duc*); **D234/2.1.3** Christian Science Monitor, *Communist Neighbors Feuding?*, 17 Aug 1977 [“One area of reported confrontation is the northeast Cambodian Province of Ratanakiri”]; **D1.3.25.14** Washington Post, *Thai Says Cambodians Attack Vietnam, Laos*, 7 Aug 1977 (*Parrot’s Beak area - Svay Rieng, July 1977*); **D1.3.25.19** New York Times, *Cambodia and Vietnam in Clashes on Border*, 19 Sep 1977; **D69.1.36** Foreign Languages Publishing House, *The Vietnam-Kampuchea Conflict (A Historical Record)*, EN 00187340 (*Kien Giang, Tay Ninh*); **D32/12.1** Pham Van Tra, *A Soldier’s Life: A Memoir*, EN 00432804-05 [“the situation in Dong Thap worsened. Enemy forces flooded across in the area of the Vinh Ba border crossing. They struck deep into our territory and captured and occupied a number of areas [...] After the tens situations in Kien Giang [...] The enemy massed a large force that attacked Ba Chuc”] (*Dong Thap, An Giang, Kien Giang, Jun 1977*).
- 1037 **D234/2.1.12** Telegram 05 from San to Brother 89 (Son Sen), 9 Jun 1977 [“a Vietnamese fighter plane [...] fired and dropped bombs at that area”] (*Au Leav-Ratanakiri*); **D1.3.25.14** Washington Post, *Thai Says Cambodians Attack Vietnam, Laos*, 7 Aug 1977 [““They even have planes bombing on both sides,” the [Thai Prime Minister Thanin Kraivichien] said”]; **D64.1.34** Bangkok Post, *Refugees Cite Major SRV-Cambodian Clashes, Reprisals*, 1 Sep 1977, EN 00168725 [“From May 2 to 9, the Vietnamese air force struck at Cambodian artillery emplacements and military barracks up to 15 nautical miles inside the border east of Kompong Trach and other Cambodian centres. [...] the Vietnamese used captured American-built A-37s and F-5s along with Soviet-built MIG-21s. American-built helicopter gunships and U-17 fixed-wing aircrafts were also used in these attacks on Cambodian positions”].
- 1038 **D1.3.12.21** SRV Ministry of Foreign Affairs Report, Jan 1978, EN 00196238, KH 00283143 [“These attacks began on the night of September 24. The Kampuchean armed forces, numbering about one division, supported by artillery, launched simultaneous attacks on several villages in the districts of Tan Bien, Chau Thanh and Ben Cau. [...] almost 1,000 civilians were killed or wounded”]; **D234/2.1.6** Republic of France Consul General Letter, 20 Oct 1977, EN 00503975, KH 00492877 [“Go Dau Ha, a large town located en route to Phnom Penh and just a few kilometres from the border, was occupied for an entire night by the Khmer Rouge late in September: what allegedly resulted was a scene of horror. The few troops – including recruits from the South - that were stationed in this region and in Tay Ninh Province were unable to hold the fort”]; **D234/2.1.135** Stephen Morris, T. 19 Oct 2016, 14.13.00-14.14.16; **D98/1.2.5** Nayan Chanda, T. 26 May 2009, 10.04.02-10.07.11; **D114/258** Lay Ean alias Oeun WRI, A89 [“the Vietnamese troops had advanced into Cambodia, so I was needed to fight them”], A107 [“[DK forces] used Cannons 105mm and 120mm and the infantry. At some battlefields, they used tanks”, A111-114 [“Q: Were the Vietnamese civilians or children attacked? A111: The prisoners of war and those who did not manage to escape were arrested and sent to Phnom Penh. Q: [...] you said that the Vietnamese houses, hospitals, and factories were burned to the ground. How did you know this? A112: I knew it because I fought all the way into Vietnam. Q: Did you see those Vietnamese houses, hospitals, and factories being burned down? A113: Yes, I did. [...] A114: It was Tay Ninh Province”]; **D1.3.32.27** Leng Kim alias Kung Kim DC-Cam Statement, EN 00633861, KH 00054819 [“In 77 perhaps in late September or October, they took me to fight the Vietnamese inside Tay Ninh province. I joined in fighting at that time”]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192378, KH 00191525 [“On the morning of September 26, [...] General Tran Van Tra, the commander of the Seventh Military Region, [...] was beside himself with rage. Two nights before, Khmer Rouge attackers had struck inside Tay Ninh Province, killing hundreds of civilians”]; **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400 [“in September [1977] [the Khmer Rouge] attacked villages in Vietnam’s Tay Ninh Province, killing hundreds of civilians”].
- 1039 **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400.
- 1040 **D234/2.1.9** Telegram from DK Ministry of Foreign Affairs to Swedish-Kampuchea Friendship Association, 4 Mar 1978, EN 00717585, KH 00749404 [“In September 1977, the Vietnamese army invaded the area along National Road 7, capturing Nemot, Krek, Thum Stung and Pratheat, 30 km from the frontier. [...] In

November 1977, the Vietnamese army launched its attack on Svay Rieng province and captured Chak and Prasaut, located 20 and [illegible] km, respectively, from the border”] (*Svay Rieng, Kampong Cham – East Zone*); **D4.1.1029** DK Government Statement, 31 Dec 1977, EN 00713102-03, KH 00442393 (*East Zone, Svay Rieng*); **D1.3.34.34** Telegram 55 from Chhon to M-870, 26 Oct 1977 (*Kampong Cham - East Zone*); **D4.1.293** Telegram from On to M-870, 27 Oct 1977 (*Kampong Cham - East Zone*); **D1.3.34.33** Telegram 56 from Chhon to M-870, 26 Oct 1977 (*Svay Rieng*); **D1.3.34.35** Telegram 57 from Chhon to M-870, 27 Oct 1977 (*Sector 23 - Svay Rieng*); **D1.3.34.37** Telegram 59 to M-870, 28 Oct 1977, EN 00185187, KH 00020874 (*Sector 23 - Svay Rieng*); **D1.3.34.36** Telegram 61 from Chhon to M-870, 29 Oct 1977 (*Kampong Cham - East Zone*); **D1.3.34.38** Telegram 60 from Chhon to M-870, 29 Oct 1977, EN 00185189, KH 00020875 (*Sector 23 - Svay Rieng*); **D4.1.295** Telegram 46 from Thuon to Yi via Office 870, 5 Nov 1977 (*Svay Rieng*); **D4.1.294** Telegram 68 from Chhon to Pa, 6 Nov 1977 (*Trapeang Phlong*); **D1.3.34.40** Telegram 69 to M-870, 6 Nov 1977 (*Svay Rieng*); **D4.1.219** Telegram 76 from Chhon to M-870, 12 Nov 1977 (*Svay Rieng*); **D1.3.34.41** Telegram 82 from Chhon to Brother Pol, 18 Nov 1977 (*Sector 23 - Svay Rieng*); **D4.1.296** Telegram 85 from Chhon to Brother Pol (Pol Pot), 19 Nov 1977, EN 00335207, KH 00020866 (*Svay Rieng*); **D1.3.29.1** DK Government Statement, 6 Jan 1978, EN 00337187-88, KH 00234027-29 (*Kampong Cham, Svay Rieng*); **D234/2.1.7** DK Government Statement, 31 Dec 1977, EN 00419866, KH 00591044 (*East Zone - Kampong Cham, Svay Rieng*); **D4.1.617** DK Radio Broadcast, *Past Year's National Defense Efforts Reviewed*, 10 May 1978, EN 00294785, KH 00340543-44 (*Kampong Cham, Svay Rieng*); **D234/2.1.6** Republic of France Consul General Letter, 20 Oct 1977, EN 00503973, KH 00492874 [“Serious clashes broke out in late September, lasting into the first two weeks of October at several points along the Cambodia-Vietnam border”]; **D4.1.505** Sum Sokhan alias Sreang WRI, EN 00292864, KH 00282959 [“In the harvesting season (October) of 1977, they had me go fight the Vietnamese army [...] in Kampong Cham”]; **D1.3.25.19** New York Times, *Cambodia and Vietnam in Clashes on Border*, 19 Sep 1977 (*Prey Veng*).

D4.1.988 Ieng Thirith Statement, 17-18 Nov 1979, EN 00418975, KH 00658249 [“the Hanoi authorities, in December 1977, launched their first undeclared large-scale war of aggression”]; **D4.1.617** DK Radio Broadcast, *Past Year's National Defense Efforts Reviewed*, 10 May 1978, EN 00294785, KH 00340544 [“in November and December the Vietnamese forces invaded our territory in Svay Rieng, Kompong Cham Khang Kaeut, Takeo and Kampot”]; **D1.3.29.1** DK Government Statement, 6 Jan 1978, EN 00337187-88, KH 00234027-29 (*1 January attacks 30 km inside DK's border; December attacks in Takeo and Kampot provinces*); **D234/2.1.9** Telegram from DK Ministry of Foreign Affairs to Swedish-Kampuchea Friendship Association, 4 Mar 1978, EN 00717585, KH 00749404 [“In December 1977, the Vietnamese army again launched large-scale invasion of the districts of Koh Andet and Kirivong in Takeo province, and Kompong Trach district in Kampot province”] (*Takeo, Kampot*); **D1.3.34.42** Telegram 85 from Chhon to M-870, 7 Dec 1977, EN 00183613, KH 00020864 (*Sector 23 - Svay Rieng*); **D4.1.298** Telegram 90 from Chhon to Office 870, 9 Dec 1977 (*Ponhea Kraek District - Kampong Cham - East Zone*); **D1.3.34.43** Telegram 91 from Chhon to M-870, 10 Dec 1977 (*Svay Village - Kampong Cham - East Zone*); **D1.3.34.44** Telegram 92 from Chhon to M-870, 12 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.34.45** Telegram 95 from Chhon to M-870, 13 Dec 1977 (*Sector 24 - Prey Veng*); **D1.3.34.46** Telegram 96 from Chhon to M-870, 13 Dec 1977 (*Sector 23 - Svay Rieng*); **D4.1.328** Telegram 97 from Chhon to Beloved One, 17 Dec 1977, EN 00305390-91, KH 00020896-97 (*Sector 23 - Svay Rieng*); **D4.1.302** Telegram 27 from Kuon to Yi, 22 Dec 1977 (*Route 14*); **D1.3.34.50** Telegram 68 from Kuon to Yi through 870, 22 Dec 1977 (*Route 14, O Loem*); **D1.3.34.49** Telegram 05 to M-870, 22 Dec 1977 (*Kampong Cham – East Zone*); **D1.3.34.53** Telegram 06 from Phuong to M-870, 23 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.34.52** Telegram 07 from Phuong to M-870, 23 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.34.55** Telegram from Chhon to Brother Pa, 24 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.34.58** Telegram 09 from Phuong to Office 870, 24 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.34.54** Telegram 08 from Phuong to M-870, 24 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.34.56** Telegram 11 from Phuong to M-870, 27 Dec 1977 (*Kampong Cham - East Zone*); **D1.3.25.33** Khieu Samphan Statement, 30 Dec 1977, EN 00166065, KH 00229016 [“In December 1977 the Vietnamese Armed Forces launched another large-scale aggression offensive in Srok Kaoh Andet and Kirivong in Takeo Province, and in Srok Kompong Trach in Kampot Province to deliberately kill Cambodian people”] (*Takeo, Kampot*); **D1.3.25.31** New York Times, *Cambodia Cuts Ties with Vietnam*, 31 Dec 1977, EN 00165995, KH 00645211 (*Parrot's Beak - Svay Rieng*); **D4.1.225** Telegram 15 from Phuong to M-870, 1 Jan 1978 (*Kampong Cham - East Zone*); **D234/2.1.7** DK Government Statement, 31 Dec 1977, EN 00419866-67, KH 00591044-45 (*Takeo, Kampot, Svay Rieng*); **D1.3.34.59** Telegram 17 from Phuong to M-870, 15 Jan 1978 (*Kampong Cham – East Zone*); **D4.1.866** *Revolutionary Flag*, Feb 1978, EN 00464061, KH

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- 00064438 (*Svay Rieng, Takeo, Kampot*); **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519839, KH 00064721 (*Svay Rieng, Kampong Cham, Takeo, Kampot*); **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185325, KH 00064558 (*Ratanakiri to Kampot, Dec 77*); **D114/297.1.39** Ieng Phan, T. 31 Oct 2016, 09.55.03-09.57.20 (*Takeo*); **D114/209** Moeng Seng WRI, A59 ["The fierce fighting between the Khmer Rouge and Vietnamese troops occurred in late 1977"]; **D98/1.1.8** Pol Nhan WRI, A6 ["I was sent to fight the Yuon in Kirivong district, Takeo province in December 1977"]; **D1.3.25.30** The Times of London, *Vietnam-Cambodia Fighting Reported*, 29 Dec 1977 (*Svay Rieng*); **D1.3.25.32** Associated Press, *Cambodia Accuses Hanoi of Invasion, Breaks Ties*, 31 Dec 1977, EN 00166126, KH 00282749 (*Svay Rieng*); **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678689, KH 00637926 ["Hanoi prepared for a major incursion in December that would involve thirty to sixty thousand troops with air, armor, and artillery support"]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432806 (*Takeo*).
- 1042 **D4.1.866** *Revolutionary Flag*, Feb 1978, EN 00464061, KH 00064438 ["[The Yuon] invade kilometers and in some places tens of kilometers deep inside our territory, especially along Highway 7, in Svay Rieng in the East Zone"]; **D1.3.29.1** DK Government Statement, 6 Jan 1978, EN 00337188, KH 00234028 ["In Svay Rieng province, the Vietnamese Army penetrated [...] 30 kilometres from the border"]; **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400 ["in late December [Vietnam] sent 58,000 reinforcements to Cambodia's Eastern Zone, penetrating up to twenty-five miles"]; **D69.1.23** News from Kampuchea, *Statement by Ieng Sary, Minister of Foreign Affairs*, 17 Mar 1978, EN S 00011306 ["If the current border conflict was just an ordinary border conflict, why at the end of 1977 was the Vietnamese army up to 30 kilometres inside Kampuchea"].
- 1043 **D4.1.298** Telegram 90 from Chhon to Office 870, 9 Dec 1977 ["The enemies have defeated us. [...] We also got hard hit by our enemies from the west and across Route 22 to the east. Though, we are fighting hard, we could no longer hold them back [...] The enemies used 50 tanks to attack us"] (*Kampong Cham - East Zone*); **D1.3.34.48** Telegram 2 from Chhon to Respected Brothers, 22 Dec 1977 ["The enemy hit us strongly [...] killing many people and buffaloes. [...] every spearhead has been hit and broken by the enemy"] (*Kampong Cham - East Zone*); **D1.3.34.55** Telegram from Chhon to Brother Pa, 24 Dec 1977 ["They attack and hit us one time after another from Da Village to Steung [...] the enemy number is more than usual"] (*Kampong Cham - East Zone*); **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192391-92, KH 00191540-41 ["Vietnamese forces backed by artillery barrages had gone into Cambodia like a knife through soft butter. Hundreds of Khmer soldiers were killed and wounded in the Vietnamese search-and-destroy operation. [...] There was only desultory opposition from the regional forces overwhelmed by the Vietnamese armor and firepower. [...] The leaders in Phnom Penh had been taken aback by the scale of Vietnamese attack and shocked by the rout of the forces in the Eastern Zone"].
- 1044 **D69.1.5** Statement of the Minister of Foreign Affairs of Democratic Kampuchea, 31 Dec 1977; **D69.1.7** Foreign Ministry Statement, 31 Dec 1977; **D69.1.30** Library of Congress Report, *Vietnam-Cambodia Conflict*, 4 Oct 1978, EN 00187388; **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 11.32.58-11.36.03, 11.42.26-11.43.32, 14.27.20-14.30.50; **D4.1.1114** Kaing Guek Eav alias Duch WRI, EN 00209176, KH 00186202 ["the war with Vietnam was officially declared on 31 December 1977"]; **D1.3.25.32** Los Angeles Times, *Cambodia Accuses Hanoi of Invasion, Breaks Ties*, 31 Dec 1977; **D1.3.25.31** New York Times, *Cambodia Cuts Ties with Vietnam*, 31 Dec 1977; **D69.1.4** Washington Post, *Cambodia Cuts Diplomatic Ties with Vietnam*, 31 Dec 1977; **D1.3.25.34** Los Angeles Times, *Cambodia's Admission of Vietnam Border War Anticlimactic*, 1 Jan 1978; **D1.3.25.35** Los Angeles Times, *Ancient Enmities Seen Behind Cambodia-Vietnam Conflict*, 27 Jan 1978 ["Broad-scale fighting ensued, and the two severed diplomatic relations Dec. 31"].
- 1045 **D114/37.1.73** David Chandler, T. 6 Aug 2009, 15.02.39-15.05.26 ["after Vietnam's attack into Cambodia in late 1977 which was not publicized by either party, until they withdrew in January '78"]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678689, KH 00637927 ["On 6 January, the invading troops returned to Vietnamese territory"]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192398, KH 00191547 ["January 6 was declared to have gone into history as a red-letter day when an invasion by mighty Vietnam was cut to pieces by the Khmers"]; **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400 ["Vietnam's troops began withdrawing in January 1978"]; **D32/12.1** Pham Van Tra, *A Soldier's Life: A Memoir*, EN 00432807 ["In early January 1978 we pulled our forces back to Vietnam"].
- 1046 **D69.1.21** Khieu Samphan Statement, 17 Apr 1978, EN 00280391, KH S 00704517-18 ["fighting between us and Vietnam is fierce and persistent [...] This year, fighting has been fiercer than last year [...] As such, from 17 April 1977 to 17 April 1978, especially from September 1977, [the conflict] has been going on non-stop"]

[...] The victory of 6 January 1978 and the successive victories of February, March and April 1978 against Vietnam the aggressor”]; **D1.3.25.40** SWB, *Cambodia Reports Continued Vietnamese Bombing*, 28 Mar 1978, EN S 00010448, KH 00701663 [“Since 6th January 1978, [...] the Vietnamese enemies have continued to shell our territory from their soil”]; **D4.1.617** DK Radio Broadcast, *Past Year’s National Defense Efforts Reviewed*, 10 May 1978, EN 00294786, KH 00340545-46; **D56/3.4, D54/112.3** Telegram from Mut (Meas Muth) copied to Uncle, Uncle Nuon, Brother Van, Documentation, 1 Apr 1978 [“The total number of the Yuons captured and shot [to] death from 27-3-78 to 30-3-78 were 120 heads”]; **D234/2.1.135** Stephen Morris, T. 19 Oct 2016, 14.29.06-14.30.29, 14.43.41-15.03.10 [confirming that DK continued to attack Vietnam in early 1978]; **D114/75** Sin Sisopha WRI, A92-93 [“I arrived at the battlefields on 1 January 1978 [...] I immediately engaged in the fighting [...] A93: I was there until 22 April 1978”]; **D114/149** Touch Chhum WRI, A52 [“I battled with the Vietnamese troops from [19]77 to late [19]78 when they conquered Cambodia”]; **D1.3.25.45** SWB, *Cambodia’s Strategy of Defence Against Vietnam*, 10 May 1978, EN 00003959, KH 00225460 [“During the period from 17th April 1977 to 17th April 1978, fighting took place continuously in small, medium and large-scale battles. The level of fighting actually increased this year”]; **D1.3.25.52** New York Times, *Attack on Cambodia Denied by Vietnam; Fighting Reported*, 30 Jun 1978; **D1.3.25.68** Washington Post, *Border Clashes Signal Feared Vietnamese Drive*, 22 Oct 1978; **D69.1.30** Library of Congress Report, *Vietnam-Cambodia Conflict*, 4 Oct 1978, EN 00187388.

1047 **D4.1.506** Sin Sot WRI, EN 00287356, KH 00282955 [“I worked [at the Kampong Chhnang airport] until early 1978; then they withdrew me, as well as many thousands of other people, to the border to fight the Vietnamese”]; **D114/246** Pol Nhorn WRI, A33 [“It was probably in early 1978 [...] They sent our forces to fight to defend the border in Takeo Province. At that time, the Vietnamese encroached on our Khmer territory”].

1048 **D1.3.29.2** SWB, *Vietnamese Report of Cambodian Border Encroachments*, 18 Jan 1978, EN S 00008675-76, KH 00224845-49 (*Tay Ninh, Kon Tum, Gia Lai, An Giang, Dong Thap, Long An, Kieng Giang*); **D4.1.230** Telegram 15 from Chhon to Pa, 19 Jan 1978 (*crossing over from Svay Rieng and Prey Veng*); **D4.1.313** Telegram 06 from Rom to General Staff, 2 Mar 1978 (*Kampong Cham – East Zone*); **D1.3.34.65** Telegram 16 from 47 (Son Sen) to Brother 009, 20 Mar 1978 (*Tay Ninh*); **D4.1.96** S-21 Notebook of Mam Nai alias Chan, 22 Mar 1978, EN 00184594, KH 00077852 (*Peam, Bu Doc; Sector 23 - Svay Rieng*); **D1.3.34.67** Telegram 35 from Roeun to Grand Uncle 89 (Son Sen), 5 Apr 1978 (*O Nang*); **D1.3.34.68** Telegram 18 from 47 (Son Sen) to Beloved and Respected Brother, 8 Apr 1978 (*Dong Thap*); **D1.3.30.26** DK Report to Grand Uncle, 15 Apr 1978 (*Tralaung Phos, Vinh Try; Tay Ninh*); **D1.3.25.55** FBIS, *VNA Report of Rout of Invading Cambodian Troops Cited*, 10 Jul 1978, EN 00166087, KH 00224284 (*Tay Ninh*); **D4.1.232** Telegram 17 from Chhon to Brother Pa, 27 Jan 1978 (*Kampong Rokar, Kampong Roteh, Thnoat to Camp 27, Prek Sla, Chi Peay*); **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 09.52.02-10.00.48 *confirming D1.3.17.5* Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192407-09, KH 00191557-60 (*Kien Giang-Ha Tien*); **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 11.27.23-11.28.50; **D114/254** Sin Soth WRI, A47 [“Q: In which year, were you sent to engage in the fighting with the Vietnamese troops? A47: That was in 1978”], A61 [“We also fought in Tai Ninh”]; **D114/246** Pol Nhorn WRI, A41 [“Q: Do you remember the year in which you were sent to fight along the border at the East Zone? A41: I don’t remember the month. Perhaps, it was in mid-1978”], A57 [“Q: How far did your forces encroach on Vietnamese land during the attack? A57: We just approached around, not far from, the border. I do not know how far it was from the border because that area was covered with forest”]; **D69.2.1** Los Angeles Times, *Cambodians Counterattack Into Vietnam*, 16 Jan 1978 (*An Giang, Kien Giang*); **D69.2.14** Los Angeles Times, *Cambodian Forces Gain in Vietnam, Refugees Say*, 27 Jan 1978 (*Kien Giang*); **D4.1.315** SWB, *Cambodian Incursions into Vietnam*, 14-16 Mar 1978, EN S 00009944 (*Kien Giang, Song Be*); **D69.1.17** Washington Post, *Vietnam Claims Cambodia Is Attacking Along Coast*, 17 Mar 1978 (*Kien Giang*); **D69.1.22** SWB, *Cambodian Incursions into Vietnam in April*, 14 Apr 1978, EN S 00010393 (*Song Be, An Giang, Tay Ninh*); **D1.3.25.49** Los Angeles Times, *Vietnam-Cambodia Border War Subsides*, 23 Jun 1978, EN 00166204, KH 00283019-20 (*Tay Ninh, Kien Giang*); **D1.3.25.51** Washington Post, *Vietnam Claims Major Victories In Border Fighting With Cambodia*, 28 Jun 1978 (*An Giang, Tay Ninh*); **D1.3.25.50, D69.2.16** New York Times, *60,000 Vietnamese Are Said to Invade Areas of Cambodia*, 28 Jun 1978 (*An Giang, Tay Ninh*); **D1.3.25.62** Los Angeles Times, *Heavy Fighting Reported on Cambodia, Viet Border*, 1 Aug 1978 (*Kien Giang*); **D32/12.1** Pham Van Tra, *A Soldier’s Life: A Memoir*, EN 00432807 [“in mid-January, the enemy sent their troops across the border in a massive attack into Nhon Hoi and Khanh Binh Villages in Chau Doc District, An Giang Province. [...] Wherever they went, the Khmer Rouge soldiers shot and killed our people [...] with the massacre of more than three thousand of our citizens

at Ba Chuc”]; **D11/347** Saing Touch CPA, EN 01191854, KH 00989405 [“In 1977, I lived in Voat Thmei Village, [...] Ang Yang Province. In 1978, the Khmer Rouge fought against the Vietnamese troops. They then invaded my village and threatened to shoot those who refused to leave.” The applicant and other villagers were forcibly transferred to Cambodia] (*An Giang*).

1049 **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 09.52.02-10.00.48 confirming **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192407-09, KH 00191557-60, see also EN 00192492; **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400 [“in March, Cambodia launched another raid on Vietnam, killing hundreds or more civilians in the village of Ha Tien”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678696, KH 00637943 [“On 14 March, DK troops invaded [...] Ha Tien, slaughtering and disembowelling up to a hundred peasants of both Vietnamese and Khmer origin”].

1050 **D4.1.638**, **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978.

1051 **D4.1.229** Telegram 12 from Chhon to Brother Pol (Pol Pot), 15 Jan 1978, EN 00301417, KH 00020937 (*Prey Veng*); **D4.1.231** Telegram 16 from Chhon to Par, 23 Jan 1978, EN 00182755, KH 00001052-53 (*Svay Rieng*); **D4.1.233** Telegram 62 from Chhon to Par, 29 Jan 1978 (*Chipeay-Krapeu, Daung, Kompong Kdei*); **D1.3.34.61** Telegram 11 from 47 (Son Sen) to Beloved and Respected Brother, 14 Feb 1978 (*Svay Rieng*); **D1.3.34.65** Telegram 16 from 47 (Son Sen) to Brother 009, 20 Mar 1978 (*Prey Chamkar, Tay Ninh airport and military training center*); **D4.1.316** Telegram 28 from Peam to Respected Representative of Angkar (Organisation), 23 Mar 1978 (*Trapeang Phlong, Paung*); **D4.1.606** Telegram 18 from 47 (Son Sen) to Van, 8 Apr 1978 (*Sector 24; Banteay Thmei; Tan Chau - An Giang; Dong Thap*); **D4.1.610** Telegram 02 from Mok to Brother Pol (Pol Pot), 8 Apr 1978 (*Lork*); **D4.1.202** Telegram 02 from Pauk to Committee 870, 12 Apr 1978 (*Prek Chor, Kampong Roka, O Pha-av, Khcheay Village, Kor Village*); **D1.3.30.27** DK Report from Unit 05 to Brother 009, 15 Apr 1978 (*East Zone*); **D4.1.321** Telegram 05 from Pork (Ke Pauk) to Committee 870, 18 Apr 1978 (*Kampong Cham - East Zone*); **D69.1.21** Ieng Sary Statement, 17 Apr 1978, EN 00280400-01, KH 01507853-54 (*Prey Veng, Kampot*); **D4.1.603** Telegram 55 from Sarun to Respected Brother, 24 Apr 1978 (*Tes*); **D1.3.34.72** Telegram 20 to Respected and Beloved Brother, 26 Apr 1978 (*Svay Rieng*); **D69.1.24** DK Report, May 1978, EN 00185207, KH 00021019 (*Sector 23 (Svay Rieng), Sector 24 (Prey Veng)*); **D4.1.574**, **D1.3.34.74** Telegram 10 from Pok (Ke Pauk) to Committee 870, 4 May 1978 (*Kampong Cham, Prey Veng*); **D4.1.575**, **D4.1.608** Telegram 11 from Pok (Ke Pauk) to Van, 6 May 1978 (*Kampong Cham - East Zone*); **D1.3.34.75** Telegram 11 from Pauk to Missed Brother, 6 May 1978 (*Kampong Cham - East Zone*), EN 00003537, KH 00003536; **D1.3.34.76** Telegram 13 from Pauk to Committee 870, 9 May 1978 (*Kampong Cham - East Zone*); **D10.1.8**, **D54/80.1.38** S-21 Notebook of Tuy and Hoeung Song Huor alias Pon, 11 May 1978, EN 00184491, KH 00077461 (*Southwest Zone*); **D69.1.29** DK Government Statement, 1 Jul 1978, EN 00078180 (*Kampong Cham, Svay Rieng*); **D54/105** Ek Ny (Ni) WRI, A18 [on or after mid-1978: “One day the Khmer Rouge held a meeting to tell us that the Vietnamese had entered and occupied Kratie province for more than one month”] (*Kratie*); **D114/204** Suos Siyath WRI, A38 [“Vietnam invaded the country via Kratie, so we were sent there”] (*Kratie*); **D114/149** Touch Chhum WRI, A53 [“I went [to Kratie Province] from late [19]77 to [19]78, when the Vietnamese troops [launched] their offensive attack into Cambodia”] (*Kratie*); **D114/157.1.2** Sao Sau DC-Cam Statement, EN 01506966, KH 01197599 [“In 1978, the Vietnamese arrived in Kratie”] (*Kratie*); **D1.3.25.49** Los Angeles Times, *Vietnam-Cambodia Border War Subsides*, 23 Jun 1978, EN 00166204-05, KH 00283019-20 [“The Vietnamese hold two sizable pieces of Cambodia [...] Parrot’s Beak in the Mekong Delta [...] [and] near the town of Mimot. It controls the border highway connecting Phnom Penh to the rubber plantation country in northeastern Cambodia. [...] air strikes are carried out with captured American F-5 jets frequently dropping the ‘cluster bombs’ [...] All the air strikes against Cambodian forces are mounted by the captured American F-5s”] (*Svay Rieng, Kampong Cham*); **D1.3.25.50**, **D69.2.16** New York Times, *60,000 Vietnamese Are Said to Invade Areas of Cambodia*, 28 Jun 1978 (*Svay Rieng*); **D1.3.25.51** Washington Post, *Vietnam Claims Major Victories in Border Fighting with Cambodia*, 28 Jun 1978 (*Svay Rieng*); **D1.3.25.52** New York Times, *Attack on Cambodia Denied by Vietnam; Fighting Reported*, 30 Jun 1978 [“more than 60,000 Vietnamese soldiers, supported by artillery and warplanes, began a deep thrust into Cambodia during the past two weeks”] (*Kampong Cham - East Zone*); **D1.3.25.62** Los Angeles Times, *Heavy Fighting Reported on Cambodia, Viet Border*, 1 Aug 1978 [“Heavy fighting spearheaded by low-level air attacks has broken out at four points along the border between Vietnam and Cambodia [...] Much of the air activity has been carried out in support of Vietnamese ground forces that have penetrated into the area around Kompong Cham [...] The planes being

- used were described as American F-5 jet fighters and A-37 jets”] (*Ratanakiri, Kampong Cham, Svay Rieng*).
- 1052 **D114/297.1.39** Ieng Phan, T. 31 Oct 2016, 10.05.18-10.07.46 [“I left Takeo province for Svay Rieng province in mid-1978”], 13.37.00-13.39.49 [in Svay Rieng: “the combat occurred on a daily basis until the time the Vietnamese forces came in large scale”]; **D114/297.1.36** Chuon Thi, T. 25 Oct 2016, 14.33.26-14.35.12 [“It was two or three days after we arrived in June [in Svay Rieng] and then we started to fight”]; **D4.1.553** Sreng Thi WRI, EN 00282225, KH 00270179 [“In mid 1978 [...] the war with Vietnam was intensifying”]; **D114/75** Sin Sisophal WRI, A144 [“From late August to late December 1978, we fought against the Vietnamese soldiers every day”] (*Kratie*); **D4.1.846** Ieng Phan WRI, A5, 7 [“When I arrived in Svay Rieng Province in mid 1978 [...] A7: [...] Many of my soldiers were killed and were captured by the Vietnamese at that time”]; **D1.3.25.63** Los Angeles Times, *Viet Premier Spurs Nation to Repel Cambodia, China*, 2 Sep 1978 [“Vietnam and Cambodia have been engaged in a border conflict for three years and it has escalated sharply in recent months”]; **D1.3.25.68** Washington Post, *Border Clashes Signal Feared Vietnamese Drive*, 22 Oct 1978 [“Vietnam’s volatile borders with Cambodia and China have become the scene of escalating skirmishes in the past two weeks”]; **D1.3.25.70** Washington Post, *Vietnam Offensive Reportedly Starts in Northeast Cambodia*, 5 Dec 1978 [“Vietnamese troops began a strong drive today to cut off Cambodia’s vast northeast provinces”].
- 1053 **D54/98** Heang Ret WRI, A36 [“Division 164 had to send some forces to help the forces who were stationed along the border. At that time, Meas Muth led more than half of the military forces from Regiments 61, 62, and 63 to fight the Vietnamese at the border [...] he went to the border around October 1978”].
- 1054 **D54/100** Lay Boonhak WRI, A100, 137-138 [“the Vietnamese soldiers dropped bombs on Kampong Som in late 1978 [...] A137: As for the fighting at sea, they fought at night, and I heard the sound of weapons and saw the tracer fire in the sky. [...] A138: This fighting happened in late 1978 and early 1979”]; **D114/149** Touch Chhum WRI, A30 [“In late [19]78, the Vietnam launched offensive attacks”] (*Kratie*); **D114/52** Cheang Chuo WRI, A28 [“Division 117 started retreating from the Cambodian-Vietnamese border in approximately October 1978 because the Vietnamese soldiers attacked and pressured us in strength”] (*Kratie*).
- 1055 **D32/9** Khieu Saran WRI, A3 [“In December 1978, I was sent to Military Zone 9 of the Vietnamese army and fought against Khmer Rouge forces in Takeo, Kampot and Kampong Speu”]; **D114/112** Oem (Im) Sokhan WRI, A15 [“In late 1978 [...] the Vietnamese army was invading into our territory. We went into battle again and my unit were defeated near Pech Nil by the Vietnamese”] (*Kampong Speu*).
- 1056 **D1.3.33.1** Telegram from Ieng Sary to the President of the UN Security Council, 31 Dec 1978, EN 00081489, KH 00224423-24 (*Ratanakiri, Mondulkiri, Kratie, Kampong Cham*); **D4.1.988** Ieng Thirith Statement, 17-18 Nov 1979, EN 00418975, KH 00658250-51 [“on 25 December 1978 they [the Hanoi authorities] began their second war of aggression against Democratic Kampuchea on a far larger scale than the preceding one”]; **D69.1.39** Ieng Sary Statement, 9 Oct 1979, EN 00633663, KH 00704469 [“On 25 December 1978, Christmas Day, the Hanoi authorities sent 120,000 soldiers, supported by several hundred tanks, heavy artillery and many planes and warships, to attack Kampuchea from all sides”]; **D1.3.25.72** Washington Post, *Vietnamese, Cambodians Report Heavy Fighting Following Lull*, 30 Dec 1978 [“a new Vietnamese offensive began Christmas Day with supporting air attacks”]; **D1.3.17.7** Stephen Morris, *Why Vietnam Invaded Cambodia*, EN 00078209, KH 00224333 [“on December 25, Hanoi launched an all-out offensive, using thirteen divisions, and over 150,000 troops”]; **D1.3.17.8** Steven Ratner and Jason Abrams, *Accountability for Human Rights Atrocities in International Law*, EN 00396032, KH 00429400 [“Vietnam launched its massive invasion of Cambodia on December 25, 1978”]; **D234/2.1.14** Gina Chon and Thet Sambath, *Behind the Killing Fields*, EN 00757541, KH 00858365 [“After months of escalating attacks, Vietnam had sent ten army divisions into Cambodia on December 25, 1978”].
- 1057 See, e.g., **D114/149** Touch Chhum WRI, A30 [“In late [19]78, the Vietnam launched offensive attacks and we could not resist them”]; **D114/75** Sin Sisophal WRI, A202-203 [“we were defeated by the Vietnamese soldiers [...] A203: It was on 27 December 1978”] (*Kratie*); **D114/112** Im Sokhan WRI, A15 [“In late 1978 [...] the Vietnamese army was invading into our territory. We went into battle again and my unit were defeated near Pech Nil by the Vietnamese”] (*Kampong Speu*); **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507042, KH 01197653 [“Q: When Vietnamese forces entered in 1979, what happened to our forces? [...] A: In 1979, almost all the forces were withdrawn from the border”]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War After the War*, EN 00192527-28, KH 00191686-87; **D1.3.17.7** Stephen Morris, *Why Vietnam Invaded Cambodia* [“That [Vietnamese] force captured Phnom Penh on January 7, 1979”]; **D234/2.1.14** Gina Chon and Thet Sambath, *Behind the Killing Fields*, EN 00757541, KH 00858365 [“the

Vietnamese captured Phnom Penh on January 7, 1979. [...] The size of [Vietnam's] forces, along with their better-equipped troops overwhelmed the Khmer Rouge"; **D1.3.25.73** Wall Street Journal, *Vietnam Takes Cambodian Capital, Port but Guerilla War is Seen as Continuing*, 8 Jan 1979 ["Vietnam [...] captured the Cambodian capital of Phnom Penh, the main seaport of Kompong Som and many other major cities and towns"]; **D1.3.25.74** Los Angeles Times, *Cambodia Past: A Chronology*, 8 Jan 1979 ["Jan. 7, 1979: The rebel front announces its forces had captured Phnom Penh"].

1058 **D64.1.31** FBIS, *Nuon Chea Speaks on Cambodian Army Anniversary*, 16 Jan 1977, EN 00168467, KH 00679796 [at a mass rally in Phnom Penh marking the ninth anniversary of the Cambodian Revolutionary Army, Nuon Chea said: "after 1960 our Revolutionary Organization clearly decided that political action and armed violence must be used to overthrow and crush the enemy"]; **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491412, KH 00063023 ["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"]; **D4.1.886** *Revolutionary Flag*, Sep-Oct 1976, EN 00450507, KH 00063066 ["The concrete experience of our revolutionary movement had taught us that we had to use political violence and armed violence to defeat the enemy"]; **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486236, KH 00063148 ["The first form of struggle was to use revolutionary political violence and revolutionary armed violence. [...] This violence was the force to resist the enemy and strike the enemy"]; **D4.1.861** *Revolutionary Flag*, Aug 1975, EN 00401491, KH 00063328 ["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"]; **D69.1.42** Khieu Samphan, *Considerations on the History of Cambodia*, EN 00498231, KH 00380367 ["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"].

1059 See, e.g., **D4.1.882** *Revolutionary Flag*, Feb-Mar 1976, EN 00517817, KH 00063192-93 ["The first meaning: Attacking and permanently liquidating the capitalist class, not letting them raise their heads again. [...] we see that in form the capitalist class has been brought down and dissolved, but the capitalist theme still exists. If it still exists within the ranks of our revolution and within the ranks of our people, and if we do not struggle to absolutely eradicate it, it will be able to strengthen and expand itself and within some period of time, whether five years, ten years, or longer, it will raise its head again; it will become counter-revolutionary revisionism"]; **D4.1.863** *Revolutionary Flag*, Jul 1977, EN 00476162, KH 00062884 ["Continue to attack and eradicate every type of stance of private ownership, petty bourgeois-capitalist-feudalist stances"]; EN 00476163, KH 00062887 ["The enemy is the imperialist aggressor and their servants of every type, the enemy that has the intent to expand and swallow our territory, the enemy that embeds and bores hole from within our revolutionary ranks; the enemy is the feudalist landowner-capitalist-classes; and the enemy is the various oppressor classes; the enemy is private ownership"]; **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486228, KH 00063138 ["Kampuchean society was divided into five distinct classes: the working class, the peasant class, the petty bourgeoisie class, the capitalist class, and the feudalist class"]; EN 00486233, KH 00063145 ["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"]; **D1.3.27.15** DK Military Meeting Minutes, *Minutes of Meeting with the Organization's Office, 703 and S-21*, 9 Sep 1976, EN 00178150 [Brother 89 (Son Sen) instructs: "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"].

1060 See, e.g., **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478502, KH 00062993 ["One very important issue that has to be concentrated on is clearly unmasking again and again the 'CIA' and their agents, the 'KGB' and their agents, the territory-swallowing 'Y[uon]' and their running dogs [...] throughout the whole Army, and throughout the people and attacking and breaking the enemy politically and preventing them forever from sneaking into our Party, our Army, and our people"]; **D4.1.896** *Revolutionary Youth*, Apr 1977, EN 00491127, KH 00376269 ["Absolutely determine to sweep clean the agents of 'CIA', 'KGB' and the running dog agents of the 'Yvon', who are the territory swallower burrowing within!"]; **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185329, KH 00064562 ["anyone who has engaged in activities of service to the CIA or the Yvon since liberation has done so consciously and understanding what they are doing and must be penalized"]; EN 00185333, KH 00064566-67 ["The heads we must attack are CIA, Yvon and [KGB]. [...] 1.

Our sharpest attack is on the aggressive, territory-swallowing Yuon. 2. At the same time, we attack the CIA and KGB. We attack simultaneously, but we pay most attention to attacking the [Yuon] because they are the most noxious and acute”], EN 00185342, KH 00064578 [“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”]; **D4.1.583** CPK Central Committee Directive, *Guidance of the Central Committee of the CPK on the Party’s Policy towards Misled Persons who have joined the CIA, served as Yuon Agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea*, 20 Jun 1978 [political guideline instructing cadres on who should be punished if they had joined the CIA, Vietnam, or KGB, using criteria such as what year they had joined and whether they had subsequently committed any traitorous or “opposing” activities].

1061 See, e.g., **D1.3.8.4** Division 164 Meeting Minutes, 9 Sep 1976, EN 00657355, KH 00162489 [“Recently one soldier lieutenant [of the former regime] was discovered and arrested”], EN 00657356 [“The soldier elements must be rounded up”]; **D98/3.1.130** Em Oeun, T. 23 Aug 2012, 14.35.53-14.37.54 [at a training course in Phnom Penh in 1975: “Q: When Mr. Nuon Chea made his speech, what was the content of such speech after Pol Pot? A: [...] he was talking about finding individuals who burrow within the Party [...] He said that as the leaders, or people in the leadership, we had to know people who were opposing the Party, who were infiltrating in the Party’s line. [...] I felt that Nuon Chea was referring to people who could have been the soldiers in the previous regimes, including Norodom Sihanouk and Lon Nol regimes, and also [...] those who graduated abroad”]; **D4.1.509** Khoem Samhuon alias Tauch WRI, EN 00293365, KH 00287536 [“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 Ketomealea hospital”]; **D1.3.33.4** Kaing Guek Eav alias Duch WRI, 24 Jun 2008, EN 00198221, KH 00197971 [“I cannot remember all the intellectuals returning from abroad that I received at S-21 but I know there were a number of them”]; **D4.1.964** Ieng Sary DC-Cam Statement, 17 Dec 1996, EN 00417605-06, KH 00062460-61 [“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”]; **D1.3.32.39** Sem Hoeun alias Kim DC-Cam Statement, EN 00876497-99, KH 00020579-81 [“We were sent to learn politics at the Olympic Stadium. [Participants] were from every province. They were all chiefs of battalions, regiments and sub-divisions. [...] [We learned] about the search for elements associated with political tendencies [...] for example, former soldiers and workers of the previous government. [...] If they were identified, they would be removed from their post. [...] Anyone found to have an association or an influence in the previous governments [...] would be removed and sent to Prey Sar Prison”], EN 00876501, KH 00020582 [“[Ieng Sary] came to Olympic Stadium in his capacity as Chief of Politics. He was the Head of the political School. [...] He talked about traitorous strings and reactionary political previous government tendencies. You would surely be removed should you be associated with any one of these categories”].

1062 See, e.g., **D234/2.1.77** Seng (Sen) Srun, T. 14 Sep 2015, 11.27.48-11.30.20 [“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 republic regimes and even those who were working in different mobile units, were repressed, mistreated and arrested”], 15.27.15-15.29.37 [“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”]; **D114/66** Chet Bunna WRI, A11 [“Based on what I knew, any civilians, who had made mistakes, and the 17 April-people were taken to be killed at that place [the durian plantation]”]; **D54/26** Pak Sok WRI, A28 [“I asked the military who were minding ducks there [at a paddy field in the Ream area] about the disappearance of those people, and why I did not see them come to work. Those soldiers told me that all the 17 April people had been killed”]; **D4.1.479** Sim Tun WRI, EN 00275112, KH 00212110 [in Kampong Chhnang Province: “In 1975, I saw them walking hundreds of people to be killed at Phnom Krech [...] without any interrogations. They were 17 April people and Lon Nol

soldiers; [...] I participated [...] in walking those people to be killed at Phnom Krech. [...] upon reaching a distance of 200-300 meters from Phnom Krech, they began killing them one at a time”].

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See, e.g., **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491435, KH 00063055 [“It is imperative to concentrate on and strengthen and expand the issue of organization and purge our Army to make it clean and pure following the Party’s line. A strong Army is a clean Army. As long as it is clean, even if the numbers are few it will still be strong”]; **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478501, KH 00062992 [“The currently existing forces are the Party, the core organizations, the Army, the unions, the cooperatives, and so on. It is imperative to purge, to clean up, and to sweep clean the no-good elements and the enemy elements”]; **D4.1.653** *Revolutionary Flag*, Jun 1977, EN 00446857-58, KH 00062803-04 [“the fight against the embedded enemies is not yet finished. Old remnants of the embedded enemies still remain, and they are even strengthening and expanding. [...] Whip up and educate the masses [...] inside the Revolutionary Army and among the people, and have them clearly see how the internal embedded enemies carry out their activities; have them absorb this so they will become an enemy-seeking and enemy-attacking force”]; **D4.1.865** *Revolutionary Flag*, Oct-Nov 1977, EN 00182549, KH 00064758 [“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”]; **D1.3.24.4** *Revolutionary Flag*, Dec 1977-Jan 1978, EN 00184301, KH 00064516 [“Enemies did try to come and smash our worker-peasant state power, but we successively attacked and overthrew and liquidated them [...]. This refers to enemies both within and without, but especially to the enemies within [...] We have also been able to defend the army. No the army of the Party has not suffered any losses, but rather has only been further strengthened and cleaned up. We eliminated the enemies who were boring from within the army and the dangerous elements in the army, thereby raising the quality of the army and making it better [...]. We seized great and systematic victories in 1977 by being able systematically to purge and sweep enemies cleanly away and basically to dig out their main roots. We put forward this plan at the end of 1976, and in early 1977 we had already been able to eliminate a portion of the enemies”]; **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519842, KH 00064725 [CPK Secretary Pol Pot: “Enemies from near and far come to make propaganda and deceive and defraud us and frighten us, to make us fear the enemy. They must be eradicated. Do not let those germs bore inside among our people, our Party, our Army. 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”]; **D1.3.27.13** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 30 Aug 1976, EN 00183968, KH 00052382 [Brother 89 (Son Sen): “It is imperative to conduct further purges of no-good elements”]; **D114/198** Pin Samoun (Sam Aun) WRI, A39-54 [the witness, a deputy company commander in Division 310, attended a month-long training session at Olympic Stadium in mid-1975 for all military divisions, ministries, and civil institutions under the Centre. Son Sen spoke there about the “screening and sorting” of enemies, such as army soldiers whose parents or relatives were affiliated with, *inter alia*, the Lon Nol government. They would be placed in a separate unit for those with “tendency”]. See also **VIII.A. Purges within Division 164; VIII.E. Stung Hav Worksites – 3. Crimes – Persecution on Political Grounds; VIII.F. Ream Area Worksites – 3. Crimes – Persecution on Political Grounds; VIII.I. Purge of Division 117 and Sector 505.**

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See, e.g., **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940354, KH 00052413 [“In our status as an army, we must know the subjects that we must attack, namely American imperialism, and the Vietnam revisionists and their traitorous henchmen”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.31.00-13.38.32 [“I actually was a soldier in Division 164. After 1976, there was a training session, and they announced clearly about the hereditary enemy of the Khmer, that was ‘Yvon’. [...] They announced that all soldiers in division 164 needed to attend the training. [...] We were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them. So it was the responsibility of each battalion that received exact instructions”]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.21.48-09.22.42 [“by and large, with the demographic estimates, you know, it’s thought that perhaps there were then, after this period of expulsions, 20,000 ethnic Vietnamese left in the country. And by the end of DK, virtually all of them are thought to have been killed”]; **D11/160/4.2** Chau Ny, T. 23 May 2013, 10.28.14-10.30.01 [“for all those people who were Khmer Krom origins, they all died. I do not know the reason why they took revenge against the Khmer Krom people. Even the children, the innocent children, were also killed because of their Khmer Krom origins”]; **D11/44/3.2** Thann Thim, T. 21 Apr 2015, 09.42.32-09.45.10 [“When I was living in Kiri Vong District, [...] Khmer Krom spoke with Vietnamese accent. They did not speak very clearly and

Vietnamese also spoke Khmer unclearly and those people were considered Khmer Krom or Vietnamese. Those with fair complexion and spoke with accent would be considered Khmer Krom. They were taken away and disappeared, and I did not know whether these people were killed, they did not stay there after that time”]; **D114/297.1.36** Nget Chat, T. 25 Oct 2016, 09.56.48-09.58.09 [“All the Khmer Krom were all collected and taken away”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, 7 Aug 2007, EN 00147526-27 [“Q: Were there just four foreigners at S 21? A: Yes, [...] Nuon Chea ordered them to be burned to ashes using vehicle tires. I do not remember the names, but there was an Englishman, an American, maybe an Australian, and another nationality I cannot remember. Q: Why did they arrest those foreigners? What had they come to do? A: They had entered Cambodian waters, and the naval unit arrested them and sent them to Nuon Chea. [...] By foreigners, I meant Caucasians”]; **D54/102** Ek Ny (Ni) alias Euk WRI, A29 [“After they [Khmer Rouge] had captured two [...] fishing boats of the Thai, they took all the Thai fishermen to kill in [the durian plantation]. [...] During that time, when they had arrested the Vietnamese refugees, who were traveling by boat to seek asylum in the 3rd countries, they took those Vietnamese refugees to kill in that durian plantation also”]; **D114/31** Moul Chhin WRI, A61 [“Every two or three days I saw ten to fifteen Thai fishermen being killed. [...] If they were captured, they were killed: they were not kept alive”]. See also **VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea Arrests and Killings at Sea; VIII.G. Genocide of the Vietnamese.**

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D1.3.27.15 DK Military Meeting Minutes, *Minutes of Meeting with the Organization’s Office, 703 and S-21*, 9 Sep 1976, EN 00178150, KH 00008503 [Brother 89 (Son Sen): “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”]; **D4.1.583** CPK Central Committee Directive, *Guidance of the Central Committee of the CPK on the Party’s Policy towards Misled Persons who have joined the CIA, served as Yuon Agents, or joined the KGB and opposed the Party, Revolution, People and Democratic Kampuchea*, 20 Jun 1978, EN 00275219, KH 00079281-82 [the Central Committee declared it would eliminate “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”]; **D1.3.22.1** CPK Statute, Jan 1976, art. 5, EN 00184034-36, KH 00053020-23 [“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”]; **D4.1.45** *Revolutionary Youth*, Jan-Feb 1978, EN 00278714, KH 00063491 [“our present and future task is to constantly raise high our spirit of revolutionary vigilance”]; **D4.1.77** CPK Meeting Minutes, *Minutes of Meeting Regarding Propaganda Works*, 1 Jun 1976, EN 00182723, KH 00000845 [“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”]; **D4.1.986** FBIS, *Khieu Samphan’s Speech at Anniversary Meeting*, 15 Apr 1977, EN 00419513, KH 00292805 [“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”]; **D4.1.739** DK Government Meeting Minutes, *First Meeting of the Council of Ministers*, 22 Apr 1976, EN 00143467, KH 00072760 [“[The enemy’s] aim is to attack the leadership apparatus by dark means. Therefore, we must raise the spirit of revolutionary vigilance even higher”]; **D4.1.865** *Revolutionary Flag*, Oct-Nov 1977, EN 00182549-50, KH 00064759-60 [“[The] risky [cadres] must be purged. [...] the contemptible traitors who are concealed [from] within wear the label of the organization, too. [...] 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”].

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See, e.g., **D4.1.629** DC-Cam DK Prison List, 18 Feb 2008 [listing 196 known security centres and their locations during the DK period]; **D4.1.1120** Kaing Guek Eav alias Duch, Diagram of Security Office Network, EN 00198898, KH 00198896 [showing that each zone, sector, and district had their own security offices in addition to special ones like S-21, totalling 196 offices throughout the country]; **D10.1.64** Kaing

Guek Eav alias Duch Written Submission, 23 Nov 2009, para. 69, EN 00412111, KH 00404807 [“There were at least 196 Santebal Offices in the Democratic Kampuchea”], paras 70-72, EN 00412111, KH 00404807 [describing the organisational supervision of the security offices and how confessions were sent up the chain of command]; **D4.1.462** Sum Alat alias Chhong Lat WRI, EN 00242126-27, KH 00196812-13 [detailing five security offices that he knew about: Prey Sloek security office also known as Kraing Tasam, security office 07 also known as Trapaing Chomg security office, security office at Tuol Tapev, Charoek security office, and the artillery security office known as mortar fort office in Pursat province]; **D4.1.369** Chan Khan WRI, EN 00195544-45, KH 00186762-63 [regarding Office 13]; **D4.1.1112** Kaing Guek Eav alias Duch WRI, 29 Apr 2008, EN 00185475-76, KH 00185467-68 [describing M-13 and S-21].

1067 See, e.g., **D1.3.28.81** S-21 Interrogation Log, 21 Apr 1978 [list of 98 prisoners from all over the country who were interrogated at S-21 on 21 April 1978]; **D4.1.495** Report from Chim in Trapeang Thom Thbounng Commune to the Party, 17 Sep 1977, EN 00363653-54, KH 00270984-85 [reporting on the torture and interrogation of prisoners]; **D4.1.148** Reports from An at Kraing Ta Chan Security Centre (Educational Office of District 105) to Party, Jul-Aug 1977, EN 00276593, KH 00082724 [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, KH 00082725 [“It is okay to smash. 7/8/77; Tor. 13; Prak”], EN 00276596, KH 00082727 [instruction from District Secretary Kit to An which states: “Concerning the issue of all the prisoners who were arrested from Chieng Torng commune [...] they are to be interrogated in order to find out their whole networks, then smash them”]; **D1.3.33.8** Kaing Guek Eav alias Duch WRI, 3 Oct 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)”]; **D4.1.1112** Kaing Guek Eav alias Duch WRI, 29 Apr 2008, EN 00185477, KH 00185470 [“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”].

1068 **D98/1.2.1** Kaing Guek Eav alias Duch, T. 18 May 2009, 10.07.08-10.13.40 [“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”]; **D4.1.1109** Kaing Guek Eav alias Duch WRI, 28 Mar 2008, EN 00177588, KH 00177581 [“the Party took all the important decisions, ruling the country in an exclusive and absolute manner [...] This meant that all the decisions of the Secretary or the deputy-secretary had to be respected and that those who did not respect them had to be eliminated [...] These principles were obviously not compatible with the existence of tribunals and procedural safeguards”]; **D114/263** Chum Chy WRI, A2 [“Back then we had no courts nor codified rules of any importance. There were only orders”]; **D54/7** Dol Song WRI, A17 [“At that time, anyone who committed mistakes would be arrested; there was no court to rule whether the person was innocent or guilty”]; **D114/48** Sok Ngon WRI, A27 [“they call that regime a dictatorial regime: there were no courts or anything. Superiors had the power to pass judgment as they pleased”]; **D1.3.30.28** 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 Jan 1979, EN 00078660, KH 00294964 [“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”]; **D1.3.17.9** Ysa Osman, *Oukoubah: Justice for the Cham Muslims 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. [...] low-level unit or base chiefs made arrests, while prison chiefs and their direct subordinates made all decisions on the torture, interrogation and killing of prisoners. All policies on the chain of command in such matters came from the Central Committee of the Communist Party of Kampuchea”].

1069 See, e.g., **D4.1.148** Reports from An at Kraing Ta Chan Security Centre (Educational Office of District 105) to Party, Jul-Aug 1977, EN 00276596, KH 00082727 [instruction from District Secretary Kit to An which states: “Concerning the issue of all the prisoners who were arrested from Chieng Torng commune [...] they are to be interrogated in order to find out their whole networks, then smash them”]; **D4.1.495** Correspondence from Chim in Trapeang Thom Thbounng Commune to the Party, 17 Sep 1977, EN 00363653-54, KH 00270984-85 [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”]; **D4.1.1058** Chhaom Se WRI, A8 [“According to my observation, cadres with the rank of chief of regiments or above and senior cadres (at work) were removed because they had been implicated in the confessions at the General Staff”]; **D4.1.805** Chhaom Se WRI, A6 [“The confessions-implications were from Phnom Penh, meaning that they were the confessions of the prisoners who had been interrogated in Phnom Penh. [...] they implicated 4 or 5 soldiers in Brigade 801. [...] There were 3 to 4 confessions. Those confessions were marked with red ink pen, saying that [the prisoners] with this name or that name must be examined because they were agents in the network”]; **D1.3.32.17** Him Huy WRI, EN 00161598-99, KH 00146647 [“If prisoners implicated people from the 703rd, Duch had them arrested, interrogated, and killed”]; **D4.1.250** Him Huy WRI, EN 00164451, KH 00164447 [“During a meeting, Duch told us that those from the 703rd who were working at S-21 and who had been implicated by prisoners from the 703rd had been arrested, interrogated, and killed in the S-21 compound”]; **D4.1.1156** Kaing Guek Eav alias Duch WRI, 15 Jul 2008, EN 00205162-63, KH 00205154 [“You have asked me the percentage of arrests carried out further to implication in confessions. I cannot answer that question. I know there were many. For example, Son Sen immediately had the persons implicated by Koy Thuon arrested. I protested, telling him it was unbelievable to arrest so many people, but he told me in a threatening tone: ‘*this is the confession of the despicable Khuon (Koy Thuon)*’. I was unable to oppose the arrest”]; **D98/3.1.226** Laurence Picq WRI, EN 00323633, KH 00252159 [“It was common knowledge that persons implicated in three different confessions were arrested. Five implications were necessary for a couple”].

1070 **D1.3.27.23** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics Officers of Divisions and Independent Regiments*, 15 Dec 1976, EN 00233718, KH 00095514 [“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”]; **D11/54/3.1** Preap Sokhoeurn, T. 24 Oct 2016, 09.45.00-09.48.51 [“There were also two other women who were also in the cooperative [...]. Their husbands were accused of being linked to a network, they were arrested in 1975 or 1976, and in 1977, the wives were also identified, put in a truck and taken away to be killed. During the regime, they searched for people who were linked to a network and killed them all. [...] They did not spare any family members if they found out that they were related”]; **D234/2.1.68** Elizabeth Becker, T. 10 Feb 2015, 10.51.34-10.52.18 [“everyone was accused through a network. And, as the killing snowballed, the networks exploded from adults having relationship with other adults to a network including the entire family”].

1071 **D1.3.19.1** *Decision of the Central Committee Regarding a Number of Matters*, 30 Mar 1976, EN 00182809, KH 00003136 [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* **D98/1.2.1** Kaing Guek Eav alias Duch, T. 18 May 2009, 10.17.08-10.26.58 [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”].

1072 *See, e.g.,* **D98/1.2.15** Kaing Guek Eav alias Duch, T. 19 Mar 2012, 15.55.05-15.57.25 [“‘Smash’ means executed. You know they are used interchangeably because they’re the same terms. The ultimate goal is that the person is dead”]; **D98/1.2.1** Kaing Guek Eav alias Duch, T. 18 May 2009, 10.03.35-10.13.40 [“[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”]; **D98/1.2.7** Craig Etcheson, T. 28 May 2009, 09.12.19-09.15.58 [“my understanding is that the Khmer word we translate in this court as smash, ‘komtik’ means a little bit more than just killing. Frequently, you will see this word translated not merely as ‘smash’, but rather as ‘smash to bits’ as in to smash into little pieces. [...] It involved not merely a physical smashing, but also a psychological smashing”]; **D4.1.409** Chhouk Rin alias Sok WRI, EN 00268899, KH 00210214 [“The term ‘smash’ means ‘arrest and kill’].

1073 *See, e.g.,* **D4.1.861** *Revolutionary Flag*, Aug 1975, EN 00401501-02, KH 00063341 [“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 the internal enemies still

exist. [...] If we are constantly revolutionarily vigilant [...] the enemy will be unable to do anything”]; **D4.1.653** *Revolutionary Flag*, Jun 1977, EN 00446862, KH 00062809 [“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”]; **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185342, KH 00064578 [“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”]; **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428291, KH 00064487 [“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 00428303, KH 00064501-02 [“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, cooperatives throughout the country have played an important leading role”].

1074 See, e.g., **D4.1.986** FBIS, *Khieu Samphan’s Speech at Anniversary Meeting*, 15 Apr 1977, EN 00419513, KH 000292805 [“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”]; **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478496, KH 00062986 [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”]; **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399235-36, KH 00062963-65 [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”]; **D64.1.34** FBIS, *Ieng Sary Hosts Banquet for Burmese Delegation - Ieng Sary Speech*, 31 Aug 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”].

1075 See, e.g., **D1.3.27.1** CPK Standing Committee Minutes, 9 Oct 1975, EN 00183403-04, KH 00019121-22 [discussing whether two comrades (Mean and Phan) should be considered enemies or not: “As for Comrade Mean, [...] 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”]; **D4.1.77** CPK Meeting Minutes, *Minutes of Meeting Regarding Propaganda Works*, 1 Jun 1976, EN 00182723, KH 00000845 [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”]; **D4.1.739** DK Government Meeting Minutes, *First Meeting of the Council of Ministers*, 22 Apr 1976, EN 00143467, KH 00072761 [“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”]; **D1.3.27.15** DK Meeting Minutes, *Minutes of Meeting with the Organization’s Office, 703 and S-21*, 9 Sep 1976, EN 00178150, KH 00008503 [in response to an unauthorised distribution of leaflets that criticised the Organisation, Brother 89 (Son Sen) speculated 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”]; **D4.1.1154** Ek Hen alias Chea WRI, EN 00205049-50, KH 00172064-65 [“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”]; **D4.1.817** Bun Thien WRI, EN 00384406-08, KH 00368609-10 [“Q: What was discussed during the sector-level meeting at Phnom Kheng? A: The sector-level meeting was an annual meeting concluding the work done, with the presence of all commune secretaries, deputies and members. [...] 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”].

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See, e.g., **D4.1.872** *Revolutionary Flag*, Oct-Nov 1975, EN 00495804, KH 00063242 [“the foreign affairs policies are always full of true elements of storming attack against the imperialist enemies, the storming attack against the feudalism, 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”]; **D1.3.24.2** *Revolutionary Flag*, Jul 1976, EN 00268917, KH 00062910 [“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”]; **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491398, KH 00063005 [“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”]; **D4.1.45** *Revolutionary Youth*, Jan-Feb 1978, EN 00278711, KH 00063486 [“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”]; **D4.1.867** *Revolutionary Flag*, Mar 1978, EN 00504073, KH 00064457 [“The Center has studied and learned from the fighting during 1977. Our Party mastered attacking the internal enemies first. As for the external enemy, we fight them, but as for the internal enemy, we have fundamentally already smashed them. When the external enemy attacks, the internal enemy cannot raise their heads; they have no forces”]; **D4.1.893** *Revolutionary Youth*, Oct 1978, EN 00539981, KH 00376478 [“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, KH 00376479 [“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., **D1.3.34.60** Telegram 00 from Division 164 Secretary Meas Mut to M-870, 31 Dec 1977, EN 00184995, KH 00001325 [“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[ed] elements of the enemy, whether the Yuon or other

enemies”]; **D54/112.3** Report from Division 164 Secretary Meas Mut, 1 Apr 1978, EN 00183357, KH 00017026 [“The total number of the Yuons captured and shot [to] death from 27-3-78 to 30-3-78 were 120 heads”]; **D4.1.578** Telegram 54 from Sarun to Nuon Chea, 23 Apr 1978, EN 00296220, KH 00017027 [report regarding the search for Yuon spies]; **D1.3.14.3** Telegram 60 from North Zone Secretary Se to Committee 870, 5 Sep 1977, EN 00517923-24, KH 00069447-48 [“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”]; **D1.3.34.63** Telegram 313 from North Zone Secretary Se to Committee 870, 19 Mar 1978, EN 00436995-96, KH 00019202 [“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”]; **D4.1.612** Telegram 324 from North Zone Secretary Se to Committee 870, 10 Apr 1978, EN 00340540, KH 00296229 [“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”].

1078 See, e.g., **D98/1.2.1** Kaing Guek Eav alias Duch, T. 18 May 2009, 13.53.18-14.02.07 [“[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”]; **D234/2.1.40** Nuon Chea Written Record of Adversarial Hearing, 19 Sep 2007, EN 00148699, KH 00148677 [“The Military Committee had the task of national defense and purging internal enemies”]; **D4.1.828** Suon Kanil WRI, EN 00390076, KH 00373509 [Southwest forces took control of the committees ‘from the Sector down to the cooperative’, taking over ‘about 90% of the Central Zone [leadership]’]; **D4.1.817** Bun Thien WRI, EN 00384404, KH 00368606 [in the Southwest Zone: “Generally, ‘they’ arrested leaders, senior cadres of the Khmer Rouge and women and men soldiers who were thought of as connected to traitors’ tendency, and put them there. Connection to traitors’ tendency means once their leader was arrested all the subordinates would be sent there”]; **D114/140** Chea Phon WRI, A63 [in Battalion 303: “At that time, sailors from the zone came to replace us. They informed us that our superiors were traitors, and that the three commanders [...] had been sent to Koh Khyang Prison. After that, all of the naval forces were transferred to the mainland, and all of their belongings were assumed by the zone people. [...] Later the zone commander, Sy, announced at Longvek City Hall that all Sector 11 Forces were traitors. They also announced that our commanders were traitors. They added that if our superiors were traitors, we, their subordinates also had a tendency towards treachery. Then, they divided our unit into three different groups”]; **D55/5** Chhaom Se WRI, A20 [in Sector 101, Northeast Zone: “in 1977, at the base there were traitorous elements, creating great commotion, then they began to reorganize the base. Elements accused of being traitors were called to Phnom Penh, but never seen to have returned”]; **D4.1.1154** Ek Hen WRI, EN 00205049, KH 00172064 [“First they arrested the leaders, then any deputies and any members who had involvement with the North and East Zone networks whom they accused of treason. [...] Later on, they brought in the Southwest group of Ta Mok’s network to supervise the factory”]; **D114/36.1.25** Ke Pauk Autobiography, EN 00089705-06, KH 00095552 [“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”].

1079 See, e.g., **D1.3.27.10** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Brigades, Secretaries and Deputy Secretaries of Regiments*, 2 Aug 1976, EN 00656578, KH 00052360 [Brother 89 (Son Sen): “In carrying out the duty of defending the country, it is imperative to think in terms of fending off enemies both external and internal, but it is especially important to pay attention fending off the enemy that is burrowing from within. This means it is imperative to pay attention to purging no-good elements completely from the Party, the Core Organizations and our male and female combatants

within the Revolutionary Army”]; **D1.3.27.13** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 30 Aug 1976, EN 00183966, KH 000552381 [Brother 89 (Son Sen): “Divisions are to examine and keep track of no-good elements. Organize for them to be administered separately”], EN 00183968, KH 00052382 [Brother 89 (Son Sen): “It is imperative to conduct further purges of no-good elements. It is imperative to be absolute, but not leftist: are they supporters or not, and if they are not supporters is it because of not understanding or are they not supporters because they are opponents in league with the enemy?”]; **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940344, KH 00052407 [after explaining that Chakrei, Ya, Chhouk and Keo Meas were traitors and had been smashed, Bang 89 (Son Sen) said: “the important thing is precisely that our army be clean and pure [...] Concretely operationalizing revolutionary vigilance means having a firm grip on our units of organization, ensuring that the enemy is unable to bore from within, and doing whatever needs to be done to make our army clean”], EN 00940345, KH 00052408 [“It is imperative to educate the brothers and sisters so that they understand the state of contradictions arising from the enemies boring from within and from the enemies’ tricks, and to do so in such a way that this permeates all the way to the bottom. [...] It is imperative to purge absolutely no-good elements, but not to be left or right politically”], EN 00940346, KH 00052408 [Dim/Doem: “I would like to be in unity with *Angkar*’s presentation about the enemies’ internal and external situations [...] From an examination of my forces, some 90 to 95 per cent of them are reliable, those who are loyal to the Party. But if you want unsullied faith that the army is clean, it seems not yet to be clean, and it is imperative to follow up with more purges”], EN 00940350, KH 00052411 [Sou Met: “it is imperative to dare absolutely to conduct purges”], EN 00940350-51, KH 00052411 [“Comrade Mut [Meas Muth]: I would like to speak about the concern shown with the activities of the traitors within the Party, that this has been a great victory for our Party. This lesson has strengthened, to a further degree, the standpoint of revolutionary vigilance. We have been indoctrinated with the Party’s standpoint that a correct standpoint analyses these enemies as being American imperialists and revisionists with plans to attack our Revolution. As for the problem of the grasp on the unit of organization, cadre and combatants, it is not yet firm. No-good elements or enemies are still camouflaged and infiltrated in the rank and file. The most important factor is the grasp of the everyday ideology of the core organizations. It is imperative to make arrangements to take measures so as to seize the initiative in advance. On this I would like to be in total agreement and unity with the Party. Do whatever needs to be done in not allowing the situation to get out of hand and not to let them strengthen or expand themselves at all”]; **D1.3.27.26** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977, EN 00933835, KH 00052305 [“Comrade Maut: [...] a number of the cadres and combatants guarding the depots used to be with the traitors as their bodyguards for long. One platoon of depot units of organization has been purged, but they are not yet all gone or reliable”], EN 00933844, KH 00052311 [Brother 89 (Son Sen): “As for depots, it is imperative to be vigilant against those mixed up with traitorous elements, and they must be removed. Purge the insiders make them clean”].

See **VIII.A. Purges Within Division 164; VIII.I. Purge of Division 117 and Sector 505.**

See **VIII.A. Purges Within Division 164; VIII.E. Stung Hav Worksites – 3. Crimes – Persecution on Political Grounds; VIII.F. Ream Area Worksites – 3. Crimes – Persecution on Political Grounds; VIII.I. Purge of Division 117 and Sector 505.**

D54/74.1.12 *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, EN 00636009, KH 00442209 [“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”]; **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491424, KH 00063040-41 [“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”].

D4.1.886 *Revolutionary Flag*, Sep-Oct 1976, EN 00450510, KH 00063069-70 [“1972: The Party made an assessment [...] and decided to close the markets”], EN 00450513, KH 00063075 [“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”]; **D4.1.882** *Revolutionary Flag*, Feb-Mar 1976, EN 00517819, KH 00063195 [“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”]; **D64.1.27** FBIS, *DK Media Reports*, 4 May 1977, EN 00168146, KH 00679848 [“The population is organized into cooperatives responsible for distributing food, clothing and medical supplies. There is no money”]; **D4.1.861** *Revolutionary Flag*, Aug 1975, EN 00401481-84, KH 00063316-19 [assessment of the situation the led up to the abolition of currency and private markets]; **D4.1.444** Sao Sarun WRI, EN 00278694, KH 00251437 [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”]; **D1.3.17.5** Nayan Chanda, *Brother Enemy: The War after the War*, EN 00192256, KH 00191385 [“In mid-1973, to strengthen the party’s territorial and economic control, private ownership of land and the use of money were abolished”].

1084 **D54/74.1.14** 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”]; **D98/1.2.39** David Chandler, T. 19 Jul 2012, 11.18.34-11.23.39 confirming **D54/74.1.14** David Chandler, *Brother Number One*, EN 00393014 [when CPK troops withdrew from Kampong Cham: “they rounded up several thousand local people to take with them”]; **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491424, KH 00063040 [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”].

1085 See, e.g., **D54/74.1.12** *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, EN 00636009, KH 00442208-10 [“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, KH 00442216 [“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 00636015, KH 00442217 [“Through the peasant cooperatives, the Party not only attacked and demolished the feudal-land owner class, the Party also attacked capitalists in cities and rich peasants in rural areas. Feudal land-owners, rich peasants and the like were attacked and smashed”], EN 00636037, KH 00442241 [“The Party’s stance in the past, at present and in future is to eliminate absolutely all forms of private ownership”]; **D4.1.886** *Revolutionary Flag*, Sep-Oct 1976, EN 00450511, KH 00063072 [“only by organizing cooperatives could we gain control of the economy [...] Actually, cooperatives are socialist in nature; they are socialist revolution. [...] When we made socialist revolution, we strengthened and expanded the collective regime and were able to entirely eradicate private ownership and the capitalist regime”]; **D4.1.861** *Revolutionary Flag*, Aug 1975, EN 00401478-84, KH 00063313-20.

1086 See, e.g., **D4.1.195** Nuon Chea, *Statement of the Communist Party of Kampuchea to the Communist Workers’ Party of Denmark*, 30 Jul 1978, EN 00017002, KH 00224474 [“Immediately after liberation, we evacuated the cities. The CIA, KGB and Vietnamese agents there left for the countryside and were unable to implement the plan. [...] We have to continue to build and to defend our party, and our leadership, and to apprehend the people who have infiltrated our party”]; **D4.1.37** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 Sep 1975, EN 00244276, KH 00072404 [“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”]; **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428291-97, KH 00064487-95 [see article entitled “Pay Attention to Sweeping Out the Concealed Enemy Boring From Within Even More Absolutely Cleanly”]; **D114/36.1.5** FBIS, *Founding of Peasants’ Cooperatives Hailed*, 19 May 1976, EN 00168018 [“This seething move to set up cooperatives throughout the country [...] allowed us to attack the enemy comprehensively and more vigorously than ever before -- militarily, politically, economically, socially and culturally. In brief, it allowed us to attack the enemy repeatedly, continuously and powerfully, in all fields, on all battlefronts throughout the nation, both at the front line and in the rear”]; **D64.1.42** FBIS, *Peasants Determined to Defend, Develop Country*, 26 Feb 1978, EN 00169870 [“our cooperative peasants’ firm objective perception of independence, sovereignty and self-reliance is superior to [...] obstacles created by the enemies of all stripes, particularly the expansionist, annexationist Vietnamese enemy, who are trying to hinder and obstruct our national construction efforts”]; **D64.1.35** FBIS, *Resolution Adopted*, 15 Apr 1978, EN 00168819-20 [“we the

representatives of all union workers, cooperative peasants and the three categories of the Revolutionary Army from all regions, sectors and districts throughout the country -- wish to voice our solemn pledge [...] To resolutely exterminate all agents of the expansionist, annexationist Vietnamese aggressors from our units and from Cambodian territory forever [...] To resolutely exterminate all CIA agents from our units and Cambodian territory forever”].

1087 See, e.g., **D4.1.885** *Revolutionary Flag*, Aug 1976, EN 00486746, KH 00063277 [“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”]; **D1.3.27.4** *Statement of the Representative for Industrial Workers at the Opening of First Conference of the First Legislature of the People’s Representative Assembly of Kampuchea*, 11-13 Apr 1976, EN 00184057, KH 00053618 [Resolution 3: “Resolved! 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!”], *Draft Decision of The First Conference of the First Legislature of the People’s Representative Assembly of Kampuchea*, 13 Apr 1976, EN 00184070, KH 00053636 [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”]; **D4.1.632** DK Military Meeting Minutes, 1 Jun 1976, EN 00143489, KH 00143495 [“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”]; **D4.1.38** CPK document, *The Party’s Four-Year Plan to Build Socialism in All Fields, 1977-1980*, as published in David Chandler et al., *Pol Pot Plans the Future*, EN 00104023, KH 00075827 [“Objectives: [...] To seek, gather, save, and increase capital from agriculture, aiming to rapidly expand our agriculture, our industry, and our defense rapidly”]; **D4.1.871** *Revolutionary Flag*, Sep 1978, EN 00488636, KH 00064615 [“In summary, we want to build our country very quickly, to build agriculture very quickly”]; **D4.1.579** Telegram 04 from Central Zone Secretary Ke Pauk to Pol Pot, 2 Apr 1976, EN 00182658, KH 00000766 [“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”]; **D1.3.27.4** *Information Announcement of the First Conference of the First Legislature of the People’s Representative Assembly of Kampuchea*, 14 Apr 1976, EN 00184076, KH 00053644 [“The Assembly approved unanimously the policy direction inside and outside the country so that it may be implemented [...] as follows: [...] 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”].

1088 See, e.g., **in Phnom Penh: D98/3.1.250** Sar Kimlomouth, T. 4 Jun 2012, 13.43.14-13.44.51 [“I was told to move to a cooperative near the vicinity of Phnom Penh near Stung Meanchey area”]; **the Old North/Central Zone: D98/3.1.280** Suon Kanil, T. 17 Dec 2012, 10.17.23-10.19.55 [“this 1st of January Dam is located at the Kampong Thma, which is in Baray district. The workers were brought in from various places. A lot of people were transferred to that worksite and they were placed in different cooperative[s]”]; **D4.1.828** Suon Kanil alias Neang WRI, EN 00390076, KH 00373509 [“Southwest forces [took] control of the committees from the Sector down to the cooperative. [...] At that time the Southwest Zone forces took over about 90% of the Central Zone [leadership]”]; **the Southwest Zone: D98/3.1.208** Pech Chim, T. 1 Jul 2013, 10.52.51-10.54.22 [“Q: On the 17th of April 1975, what position did you hold within District 105? A: I was [...] a member of the district committee, and I received people [...] from Phnom Penh for them to settle in the cooperative”], 13.38.08-13.40.32 [“There was a meeting at Popel commune [...] to receive those evacuees [...] And after we organized the cooperatives, we placed them in the cooperatives”]; **D98/3.1.200** Ong Thong Hoeung, T. 9 Aug 2012, 11.29.14-11.31.12 [confirming that Ieng Sary said: “last week in Chhouk in Kampot province, I questioned the members of the cooperatives to know if they do indeed [...] have three meals a day”]; **D98/3.1.250** Sar Kimlomouth, T. 4 Jun 2012, 13.41.47-13.43.14 [“Q: You said yesterday that you and your family were evacuated to a cooperative in Kien Svay. [...] A: Only a few weeks later, they formed the cooperative and we requested to stay in that cooperative”]; **the West Zone: D98/1.2.17** Kaing Guek Eav alias Duch, T. 21 Mar 2012, 09.33.14-09.35.35 [“Cooperatives were established at Peam Commune, Kampong Tralach District, Kampong Chhnang, and also in [...] Amleang Commune, Kampong Speu”]; **D98/3.1.121** Khiev En, T. 1 Oct 2012, 09.32.14-09.34.26 [in Kampong Leang District: “I also saw the newcomers

coming in my village as well and I learned from others that those people [were] evacuated from the provincial town to my district”, 09.38.32-09.40.50 [“There were cooperatives in the communes, so those new evacuees were admitted to those cooperatives”]; **D54/18** Nou Saroeun alias Mea WRI, A11 [“That cooperative was located in Ream Commune, which is now Bet Trang Commune”]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 [“There were co-operatives at Ream which housed the wives and children of members of Division 164 along with army staff and ordinary people. There were thousands of people in the co-operatives”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“There were two co-operatives at Ream for the wives and children of the soldiers and workers. [...] [Pen Sarin] did not know the total number of persons in the co-operative, however there were between 50 and 100 April 17 people there. [...] The co-operative in Sihanoukville was in the current office of communications”]; **the Northwest Zone: D11/160/4.1** Chau Ny, T. 23 Nov 2012, 12.01.27-12.05.15 [“When we got to Moung Ruessei district and when we got off the train, we were already [...] awaited by some people on some oxcarts where we would be taken to some cooperatives. [...] it was Ta Heuy cooperative [...] located in Chak Thum in the Moung Ruessei area of Battambang”]; **D98/3.1.138** Lay Bony, T. 24 Oct 2012, 09.14.09-09.18.06 [“Q: At the cooperative at Pursat province, did you have enough food -- or was the food plentiful as they said? A: [...] from the beginning when I left Phnom Penh [...] whenever the rice transplant season came, it was the most difficult time concerning food. [...] At the Kaoh Chum Cooperative, [...] We were made to form groups, eating communally, like four cans of rice for a few people. And people would be tasked with working at different locations”]; **the Northeast Zone: D98/3.1.131** Klan Fit, T. 6 Dec 2011, 15.48.31-15.51.22 [in Ta Lao Commune, Bar Keo District: “when I was appointed as the sub-district chief in 1976 there were cooperatives”]; **D98/3.1.222** Rochoem Ton alias Phy Phuon, T. 31 July 2012, 11.33.35, 11.53.25; **D98/1.2.32** Sao Sarun, T. 6 Jun 2012, 09.20.09-09.23.01 [“Q. In Mondulkiri province, when was the first time that cooperatives were created? A. It was around 1977”]; **the East Zone: D98/1.2.29** Saut Toeung, T. 19 Apr 2012, 11.28.39-11.31.01 [“Q: Yesterday, you indicated that you escorted Nuon Chea to Battambang, Kampong Chhnang, Kampong Speu and the East Zone; [...] When you were on the trip with Nuon Chea to each area, what was your impression on the actual situation? A: I witnessed people transplant rice in the cooperatives”, 11.35.28 [“he met with many cooperative heads”]; **D98/3.1.199** Ong Thong Hoeung, T. 8 Aug 2012, 15.52.37-15.55.55 [“we were taken to the Thai-Cambodian border. [...] we were instructed to walk on foot and to live in the cooperatives. So we were dispersed into various cooperatives. It was near the railway track in Romeas Haek”]; and **the Kratie Special Sector (S05): D98/3.1.316** Yun Kim, T. 19 Jun 2012, 09.26.50-09.30.34 [“in 1973, Nuon Chea went to convene a meeting in Dar commune in Kratie district, and all the commune chiefs were gathered -- that is, all the commune chief of the Kratie province. [...] He told the meeting participants to implement the establishment of the cooperatives [...] he stated that the current situation in Cambodia due to the war-torn situation, due to the lack of instruments and tools, we should gather to collect the forces in the mutual assistance groups and the cooperatives so that we could survive”].

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See, e.g., **D98/3.1.10** Bou Thon, T. 12 Aug 2009, 13.46.04-13.47.51 [“They had me farm wet and dry season rice at Boeng Bayap near Tuol Kok”]; **D98/3.1.90** Kaing Guek Eav alias Duch, T. 9 Jun 2009, 9.32.11-9.33.56 [“all the novice monks were evacuated to the countryside and they were forced to do farming”]; **D98/3.1.138** Lay Bony, T. 24 Oct 2012, 09.39.21-09.41.35 [in Pursat Province, Northwest Zone: “At Kaoh Chum Cooperative, we were put into different groups [...] we had to work very hard; we did nothing but concentrate on farming”]; **D10.1.60** Denise Affonco WRI, EN 00346934-35, KH 00349116-17 [“I knew that I was in the North West region [...] We began by clearing the land. Then we worked in the rice fields and milled rice. When there was no more work to be done on the farms, we were asked to build dykes and irrigate the paddies”]; **D4.1.387** Pen Heng WRI, EN 00163697, KH 00163690 [at Prey Sar: “They had me work the rice fields, and working the rice fields was very hard work there. In the morning we began work at 4 on until 11 or 12 noon, when they had us eat. There was no rest after lunch; we continued working until 5 before stopping to eat. After the evening meal, they had us help pull seedlings for transplanting or carry soil to make ponds until 11 or 12 at night”]; **D114/242** Prak Buny WRI, A9, 50-51 [“In 1975, I was 12 years old. I was gathered to work at a coconut plantation in Ream with many other children. [...] A50: We were sent to pick coconuts and then we were assigned to farm paddy with the youths. Q: Where were you sent to farm paddy? A51: I was sent to work near Kang Keng airfield”]; **D4.1.817** Bun Thien WRI, EN 00384401, KH 00368603 [in Takeo Province, Southwest Zone: “they were assigned to work in various areas such as the farming unit; the canal-digging unit; the rice field workers unit”]; **D114/260** Sorn Soth WRI, A40 [“After being removed from Koh Tang Island, I was assigned to farm rice throughout that period. [...] I farmed rice until 1979”]; **D114/33** Hem Ang WRI, A17, 49 [“It was in 1976 that [my battalion was] demobilised from the military and

assigned to work in different cooperatives with the civilians. They told us that our leaders were traitors [...] A49: [...] we were assigned to work in a group of six members, and we had to cut one hectare of grass per day”].

1090 See, e.g., **D114/163** Chea Tha WRI, A19-20 [in a children’s unit at a salt farm in Kampot Province: “It was at the end of 1975. I was assigned to carry salt, dig salt and dig canals until my hands and legs were covered with wounds and bruises. [...] A20: [...] There were thousands of people”]; **D114/162** Cheam Nha WRI, A44 [“Q: Could you please tell us how many workers there were at the salt farm? [...] A44: There were many people. There were probably hundreds of them. The workers there were mainly women. There were a few men. There were no soldiers, except women combatants”]; **D4.1.538** Chum Lorn WRI, EN 00250066, KH 00241998 [in Kampong Kandal: “There were thousands of workers, all of whom were women. There were a few men in charge of the water pumps. Each unit had only one man. [...] At night, we carried salt from 7 p.m. until 1 a.m.; each team had to carry three tons, and if any of the workers did not come to work, the unit chief would go look for them at the places where they slept. The work of carrying salt had to be completed as designated before we could rest; we carried [salt] day and night”]; **D4.1.561** Kem Nha WRI, EN 00282320, KH 00271423 [“Q: How many workers were at the Kampong Kandal salt fields? A: There were many, thousands, mostly women; there were also male workers, who were in charge of water pumps. [...] We worked seasonally. There was night-and-day work when there was a lot of salt to be harvested. During January and February, the work was night-and-day, without rest”]; **D4.1.549** Ching Phoeun alias Uon Saroeun WRI, EN 00705442-43, KH 00251667-68 [at Traey Koh salt farm: “When it was about to rain and more salt accumulated, they had us work three days and nights in a row without any rest. [...] Q: How many workers were there at Traey Koh? A: I could not estimate the number. But there were three battalions [...]. There were three 100-member units [companies] in one battalion”].

1091 See, e.g., **D234/2.1.17** *Strengthening and Consolidating the Analysis of all Situations and Problems Based on the Stance of the Party’s Proletariat Class*, EN 00716395-96, KH 00441897 [“Look at every zone, and in each working field, tens of thousands of our low and medium class peasants are working hard and happily to build millions of cubic meters of water basins, tens of kilometres of ditches and dams, and so on”]; **D4.1.877** *Revolutionary Youth*, Jun 1976, EN 00583790, KH 00064081 [“our cooperatives went on offensives to put up dams, dig feeder canals, dig ponds, and dig many densely-located reservoirs to sort out the water issue to increase production”]; **D4.1.989** Chea Sim Interview by Ben Kiernan, 3 Dec 1991, EN 00419370, KH 00713925-26 [“In 1976, start[ed] to build irrigation dams and canals throughout the country. This was a big offensive, concerted, simultaneous and nationwide”]; **D64.1.27** FBIS, *Lao Delegation Leader’s Speech*, 4 May 1977, EN 00168124, KH 00679833 [“Wherever we went we saw tens of thousands of Cambodian sisters and people enthusiastically taking part in the great movement to build field embankment networks and dams and dig canals, ditches and medium-sized and large reservoirs, such as the ‘1 April’ reservoir and the ‘1 January’ dam”]; **D11/255/3.1** Hun Sethany, T. 27 May 2015, 09.20.15-09.23.04 [at the 1 January Dam worksite: “there were tens of thousands of workers from the three sectors working at that construction site”]; **D4.1.520** Ke Pich Vannak WRI, EN 00346149-50, KH 00340563 [the witness, Ke Pauk’s son, recalled: “The three Sector [secretaries] were in charge of gathering forces to build the 1st January Dam. According to the plan, each Sector had to send ten thousand people to join”]; **D4.1.565** Saom Phan WRI, EN 00290358, KH 00279105 [“Tens of thousands of people participated in the construction of Trapeang Thma Dam. These people came from five districts: Phnom Srok District, Preah Neth Preah District, Serei Saophoan, Svay Chek, and Thma Puok. These five districts belonged to Sector 5 in the Northwest Zone”]; **D114/240** Phin Venh WRI, A11, 16 [“they sent the children there to build the dam [...] A16: This dam was two kilometres long, and there were a lot of people who were working there, including children”]; **D11/387** Sam Vuthy CPA, EN 01210491, KH 00991864 [“Comrade Lun forced all youths to dig a canal to generate water for dry season farming in the lower areas at Bet Trang Dam”].

1092 See, e.g., **D1.3.27.1** Standing Committee Minutes, 9 Oct 1975, EN 00183401, KH 00019118 and EN 00183407, KH 00019125 [“As for the military airfields, we have plans to build at different sites”]; **D4.1.508** Chan Man alias Chuop Sokhon WRI, EN 00292822-23, KH 00287526-27 [“In the rainy season in mid 1976, Lvey assigned me to supervise the airport construction at Kraing Leav of Kampong Chhnang province. [...] I saw tens of thousands of male and female military workers at the construction site”]; **D4.1.1147** Kev Leou alias Kev Sophal WRI, EN 00205074, KH 00170620 [“My unit had just 400 persons remaining at that time, when they took [us] for tempering at Kampong Chhnang. There were other units as well, like the 450th Division [...] At meetings they said we had to be tempered because our leaders had been traitors”]; **D4.1.511** Sem Hoeun WRI, EN 00290517, KH 00287558-59 [“Most of [the workers at the Kampong Chhnang airport]

came from the Northern and Eastern Zones, for they were linked to political disloyalty. They were sent there to be tempered”]; **D4.1.454** Koy Mon WRI, EN 00272717, KH 00195438 [“I was sent from Prey Sar to Kampong [Chhnang] in late 1977. They sent all soldiers from the subordinate zones of the central [committee]. They had us break the stone to construct the airport [...] After working there for about half month, I met a friend named Poen who was a commander of Division 502. [...] Poen secretly told me that we were affiliated with political tendency”]; **D1.3.13.7** Pech Dari alias Ri OCP Statement, EN 00207715, KH 00657415 [“Division 502 was used to supervise ‘elements’ removed from other units that were sent to construct the Kampong Chhnang military airfield”]; **D1.3.32.39** Sem Hoeun alias Kim DC-Cam Statement, EN 00876493-94, KH 00020576 [“At the end of 1976, I was sent to Kampong Chhnang. [...] I was sent there to build the Kampong Chhnang Airport. [...] In there we were forced to work without any proper rest because all of us had a traitorous political tendency”], EN 00876511-12, KH 00020591 [“They were sent from various zones and provinces. For example, accused people from the East Zone and Siem Reap were sent to that [Kampong Chhnang] correction camp. [...] Q: Were there many workers at the worksite? A: Yes, there were so many of them. There were about the content of three Divisions. It was so crowded. There were many thousands of them. Units full of them were working at different places at the worksite”]; **D1.3.32.46** Som Sokhan DC-Cam Statement, EN 00874608, KH 00053992-93 [“we were accused of being traitors; therefore, we were sent to construct an airport in Kampong Chhnang. At that time, the alleged traitors were sent to construct that airport”], EN 00874633, KH 00054015-16 [“Q: According to your estimate, how many troops were there working at the Kampong Chhnang Airport worksite? A: I heard that there were 27,000 of them”]; **D1.3.32.27** Leng Kim alias Kung Kim DC-Cam Statement, EN 00633899, KH 00054864 [“They took us to work at the [Kampong Chhnang] Airport because we had a tendency and our leaders were the traitors. [...] The leaders might be all imprisoned, but the rank and file troops were taken there. After we arrived there, we were organized into groups and cooperatives”].

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See, e.g., **D2/7** Pen Sarin WRI, A10 [at the road construction site from Stung Hav to Kampong Som: “The construction of that road completed in 1976. I was a foreman there. The work was hard, but we had to endure it. We worked under rain and in the night from 9pm to 12am. They used the generator to illuminate the worksite. This road was 13 kilometers long. [...] It took six months to complete the construction of that road”]; **D114/215** Meas Im WRI, A70 [“The first technical task was to construct the road from the oil factory to Stueng Hav. Second, was constructing the up-and-down road(s) in Stueng Hav Worksite and levelling things from the foot of the mountain to Stueng Hav beach to make it flat”]; **D54/12** Pres Mean WRI, A13-14, 22 [“In late 1977, my biography was investigated, and they discovered that it was not good. So they seized my gun, removed me from the fishing unit, and had me be a worker carrying rocks. [...] A14: There was an order from a commander to send me and approximately 20 other soldiers to Stueng Hav. [...] A22: Each worker was required to dig a one-meter-deep hole in which explosives was put in and exploded to break rock. It wasn’t until 1977 or 1978 that China brought rock-drilling machines to Cambodia. They exploded rock after 5 p.m. and the next morning, they ordered the workers to carry rocks to be loaded on to trucks for transport and dumping to construct the harbour”]; **D54/77** Uy Nhik WRI, A17, 23-24, 45 [“I was in the artillery unit until around late 1977, when the artillery unit was dissolved, and they sent me to work at a rock-breaking site to build a port at Stueng Hav. [...] A23: At that time, they transferred around 80% of the former soldiers of Battalion 386 from Sector 37 to work at a rock-breaking site at Stueng Hav because those soldiers were accused of being ‘no-good elements’. [...] A24: They accused people in Sector 37 of being ‘no-good elements’ because that area had been organised by Vietnam since 1970. Thus they accused us of having connections with the Vietnamese. [...] A45: Eighty percent of those transferred from Battalion 386 worked at the port dike”]; **D54/105** Ek Ni WRI, A17 [“Then I was sent to work at Stueng Hav to break rock to be used for construction of Tumnob Rolok Dyke and a port for combat ships. They did not want to keep combat ships at civilian ports”]; **D114/86** Chet Bunna WRI, A19 [“The port was called Tumnub Rolork, situated at Stung Hav. At the time I was sent there, all the workers at Stung Hav were assigned to break rocks at the quarries. In their plan, they planned to use those rocks to build a secret port where they could repair ships and keep weapons and ammunition”]; **D114/104** Iem Phong WRI, A39 [“Later they demobilised me and gave me a machete to cut down trees for building houses, and they had me break rocks for building a port in Stueng Hav with the Chinese”].

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See, e.g., **D4.1.877** *Revolutionary Youth*, Jun 1976, EN 00583811, KH 00064110 [“brothers and sisters in the mobile units have gone down to help the various cooperatives, especially to plow, harrow and transplant at any cooperatives that already have sufficient water or have enough seedlings to transplant”]; **D4.1.653** *Revolutionary Flag*, Jun 1977, EN 00446863, KH 00062811 [“Our mobile units can be assigned anywhere to

- build reservoirs, plant potatoes, bananas, etc.”]; **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399238, KH 00062967 [photo caption: “A Mobile Youth Unit of the Kampong Chhnang Sector on the offensive clearing grass in a potato farm south of Phnom Santouch”]; **D4.1.894** *Revolutionary Youth*, Nov 1978, EN 00524167, KH 00376514 [“the youth in our mobile production units must go on the offensive to increase production of every kind, in particular to increase the production of rice constantly and mightily to get the greatest yields to achieve the annual plan of the Party completely successfully and to even go beyond that”].
- 1095 See, e.g., **D4.1.37** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 Sep 1975, EN 00244276-77, KH 00072406-07; **D4.1.872** *Revolutionary Flag*, Oct-Nov 1975, EN 00495826-27, KH 00063269; **D1.3.24.2** *Revolutionary Flag*, Jul 1976, EN 00268923-24, KH 00062917-18; **D4.1.865** *Revolutionary Flag*, Oct-Nov 1977, EN 00182594, KH 00064822-23.
- 1096 See, e.g., **D4.1.37** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 Sep 1975, EN 00244276-77, KH 00072406-07 [discussing how to strengthen and expand new worker forces in the cooperatives, including organising livelihood meetings and training programs]; **D4.1.904** *The Building of the Ranks of Cadres: Party Directive*, 20 Apr 1978 EN S 00010081-82, KH S 00658260-64 [instructing that new forces should be brought into each Party echelon, selected from the basic class and then assigned clearly-defined jobs in the cooperatives]. See also directives on the 3 ton per hectare policy: **D1.3.19.1** *Decision of the Central Committee Regarding a Number of Matters*, 30 Mar 1976, EN 00182809, KH 00003136; **D4.1.227** Telegram 254 from North Zone Secretary Se to Committee 870, EN 00182758, KH 00001061-62; **D4.1.612** Telegram Number 324 From North Zone Secretary Se to Committee 870, 10 Apr 1978, EN 00340542, KH 00296230-31.
- 1097 See, e.g., **D4.1.65** *Minutes on the Standing [Committee’s] Visit to [North]west Zone*, 20-24 Aug 1975, EN 00183001, KH 00008489 [“Collectives must be further strengthened and expanded”], EN 00183002-03, KH 00008490-91 [“Actual measures: [...] Pay more attention to collectives, both old and new compositions. Get districts and sub-districts informed and educate collectives on politics, consciousness and assignment. [...] The party direction is to diversify crops and build up the country. Work force must be allocated to those who have free land to plant and diversify crops”]; **D4.1.93** Standing Committee Minutes, 22 Feb 1976, EN 00182546, KH 00000711 [“The opinions and instructions of Angkar: 1. Salt production: Propose pushing additional [production] from 50,000 to 60,000 tons”]; **D4.1.817** Bun Thien WRI, EN 00384406-07 [“The sector-level meeting [at Phnom Kheng] was an annual meeting concluding the work done, with the presence of all commune secretaries, deputies and members. [...] The meeting was about politics, military, economics, social affairs, and culture [...] We were told to do both raining season farming and dry season farming. Q: Had you ever been told to implement a plan that required you to produce three tons of rice per hectare? A: Yes, I had, but not only to produce three tons of rice but to produce up to five tons. At that time, the plan was to farm rice in checked pattern in which there were dikes and double dikes to carry water”]; **D4.1.521** Tep Poch WRI, EN 00351701, KH 00348840 [in S’Ang District: “I attended meetings with the district committee. The meetings were about the production of three tons of rice per hectare; and the people had to implement”], EN 00351703, KH 00348842 [“Q: At Baray District, did you ever attend meetings? A: I was invited to a meeting once. It was held in Chamkar Leu District of Kampong Cham. Oeun (Sector Secretary) chaired the meeting. At the meeting, the upper echelons set out plans for us to produce rice”]; **D4.1.508** Chan Man alias Chuop Sokhon WRI, EN 00292825, KH 00287530 [“Q: What kinds of meetings were held at Kraing Leav airport construction site [in Kampong Chhnang]? [...] A: They held a weekly meeting [...] about construction plan and attended by chiefs of different units at the construction site. Then the chiefs disseminated and enforced those decisions in their groups”].
- 1098 See, e.g., **D4.1.882** *Revolutionary Flag*, Feb-Mar 1976, EN 00517837, KH 00063219 [“According to the Party’s 1976 decision, our cooperatives must go on the offensive to increase production to get three tons per hectare on the average and in general, for one thing to sort out the livelihood of the people, but moreover to get the resources to defend and build the country quickly at great magnificent leap speed”], EN 00517840, KH 00063224 [“It is imperative to grasp the labor force in each cooperative tightly in hand”], EN 00517841, KH 00063225 [“When one cooperative has a lot of seedlings and cannot transplant them all or cannot transplant them in time, it is imperative to look at distributing them to other cooperatives that lack seedlings and not leave them to rot or leave them until they get old and damaged in the seedbeds before calling others”]; **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478498, KH 00062987 [“In tandem with this, other units in frameworks throughout the country whether Zone, Sector, district, cooperative, military units, ministries, or offices must go on offensives to follow the patterns of the progressive units in order to achieve

the entire 1977 Plan and even surpass the plan”]; **D4.1.653** *Revolutionary Flag*, Jun 1977, EN 00446867, KH 00062816 [“So then it is imperative to make assessments: each ministry, each office, each worksite, each cooperative must move whatever manpower they can to increasing production. Do not scatter manpower”]; **D4.1.867** *Revolutionary Flag*, Mar 1978, EN 00504079, KH 00064463 [“in each cooperative it is imperative to prepare a better organizational system in every field, in rice farming and in the cultivation of other crops, handicrafts, steel handicrafts, textile handicrafts, hospitals, medicine production sites, infant-care locations, child-care locations. We must better organize them”]; **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428304-05, KH 00064503-04 [eliminating the classification of candidate and depositors in the cooperatives – now everyone is a full-rights member – and setting out characteristics to consider during the selection of cooperative committees].

1099 See, e.g., **D64.1.25** FBIS, *Need for Comprehensive Frugality Stressed*, 15 Jan 1976, EN 00167833 [discussing the necessity of economising in every cooperative and revolutionary organisation], *Radio Stresses Importance of Seed Selection*, 21 Jan 1976, EN 00167846-47; **D64.1.30** FBIS, *Radio Comments on 1976 Results and 1977 Tasks*, 27 Jan 1977, EN 00168403 [“From the start of 1976 and throughout the year, our brothers and sisters worked day and night in the drive to build irrigation canals, dikes and new field embankment networks in their attempt to solve the water supply problem for rice growing. [...] Those are the most brilliant examples that we admire and must try to emulate”], *Radio Comments on '77 Political, Agricultural Tasks*, 20 Feb 1977, EN 00168429 [“Our political tasks in 1977 consist of carrying on the offensive to defend and build our country and lead it toward progress by leaps and bounds by adhering to the main base – agriculture. [...] Our main task in 1977 is therefore to increase rice producing many times”]; **D64.1.44** FBIS, *Plans for Development of Advanced Cooperatives by 1980*, 26 Oct 1978, EN 00170069.

1100 See, e.g., **D98/1.2.39** David Chandler, T. 19 Jul 2012, 13.53.36–13.56.22 [“Q: Are you able to expand on this aphorism ‘keeping you is no gain, losing you is no loss’ -- how that was applied, if it was applied, and what effect, if any, it had in practice? A: The effect that it had in practice was to scare the people to whom it was directed, and this was the purpose of it. It was quoted so often [...] it rang in their ears: You are worthless, but if you want to survive, just work extremely hard, and we’ll decide from day to day what happens to you. It’s a terrifying slogan and [...] it was very, very widespread”]; **D1.3.33.12** Kaing Guek Eav alias Duch WRI, EN 00204293, KH 00187662-63 [“‘Better arrest ten people by mistake than free one wrongly.’ It was a legitimate accusation of my people, who suffered considerably from constant brutal arrests. Son Sen, and perhaps other Khmer Rouge leaders as well, used a phrase, ‘No gain in keeping, no loss in weeding out’”]; **D114/31** Moul Chhin WRI, A117 [“Sick people who could not work were taken to be killed. The slogan was ‘To keep you is no gain. To remove you is no loss!’”].

1101 **D4.1.965** Meng-Try Ea and Sopheak Locung, Note takings (Khieu Samphan and Nuon Chea), 9-11 Jun 2006, EN 00000928, KH 00347036 [“In the cooperative people were not free but they had enough food to eat”]; **D4.1.37** DK Document Number 6: *Follow-up of implementation of the political line in mobilizing the National Democratic Front Forces of the Party*, 22 Sep 1975, EN 00244276, KH 00072404 [“they have become the workers. [...] We can make every decision on what we want them to be. [...] they are under our organized control. Even Sihanouk does not enjoy full freedom”]; **D69.1.42** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea*, EN 00498302-03, KH 00380498-99 [“since the cooperatives had been first organized in 1971, the CPK had been able to [...] control the people [...] So then, some coercion was required for a while, coercion to work in a situation of lacking everything”].

1102 The Party’s “Four-Year Plan” called for producing 5.5 million tons of rice in 1977, 6.25 million tons in 1978, and 7 million tons in 1979, roughly tripling the average annual production of the 1960s. See **D4.1.38** CPK document, *The Party’s Four-Year Plan to Build Socialism in All Fields, 1977-1980*, as published in David Chandler et al., *Pol Pot Plans the Future*, EN 00104025, KH 00075831-32; **D1.3.17.2** Craig Etcheson, *The Rise and Demise of Democratic Kampuchea*, EN 00393208. Regarding the push to produce the high quotas, see: **D4.1.875** *Revolutionary Youth*, Feb 1976, EN 00583759, KH 00063807 [“do everything so that our rice yields are not just three tons per hectare, but 4-5-6-7-8 tons per hectare. Working like this is what is called going on the offensive at great leap speed”]; **D1.3.19.1** *Decision of the Central Committee Regarding a Number of Matters*, 30 Mar 1976, EN 00182809, KH 00003136 [“Objective [2]: To follow-up on plans closely and resolve problems in a timely manner in the goal of three tons per hectare”]; **D1.3.27.10** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments*, 2 Aug 1976, EN 00656576-77, KH 00052358-59 [addresses strategies to achieve the 3 ton per hectare policy]; **D1.3.27.11** DK Military Meeting Minutes,

- Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments*, 12 Aug 1976, EN 00183962, KH 00052362 [“2. Shortcomings: [...] The achievement of three tonnes per hectare of heavy paddy on Number One and Number Two Category soils is also not yet guaranteed”]; **D4.1.78** Standing Committee Minutes, *Minutes of Meeting on Health and Social Affairs*, 10 Jun 1976, EN 00183369, KH 00017155 [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]; **D4.1.883** *Revolutionary Flag*, Apr 1976, EN 00517866-68, KH 00062766 [describes the struggle to reach the Party’s objective regarding paddy dike system goals, which started off slow because “we were building them too large, too beautiful, and had grasped the direction wrongly”; therefore, manpower was organized for maximum efficiency and leaders were directed to retain the water so that not one drop of water flows to the rivers; discusses the objective to accomplish three tons per hectare, making fertilizer and finding seeds to produce the highest yields while dealing with the shortage of hoes, hatchets, and “everything”]; **D1.3.24.1** *Revolutionary Youth*, May 1976, EN 00357870-72, KH 00064005-09 [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]; **D4.1.921** 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*, Sep 1975, EN 00523569, KH 00072367 and EN 00523574-75, KH 00072374-75 [acknowledges that they must “quickly prepare to transform from backward agriculture to modern within 10 to 15 years [...] we see that as being very fast [...] In 1977 we must ensure three tons per hectare. In North Vietnam they say that it will be another 40 years before they have water 100 percent mastered. In comparison to us, they take 30 years; we will solve it in ten. [...] Their harvest methods are [too slow]. [...] Estimates are that we may be able to sell two million tons of rice during 1977-1980, even more”].
- 1103 **D234/2.1.33** *Phnom Penh Rally Marks 17th April Anniversary*, 16 Apr 1978, EN S 00010564 [Khieu Samphan told 20,000 workers and military forces to “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 **D4.1.45** *Revolutionary Youth*, Jan-Feb 1978, EN 00278727, KH 00063511 [“We must dare to sacrifice everything, no matter how much manpower is required, no matter how much ideological sacrifice is required, whether or not lives are lost in the labor”].
- 1104 See, e.g., **D4.1.65** *Minutes on the Standing [Committee’s] Visit to [North]west Zone*, 20-24 Aug 1975, EN 00183001, KH 00008489 [“Collectives have pushed all new people out of cities especially the city of Phnom Penh and Battambang in Northwest Zone. Hundreds of thousands in Battambang have all kinds of bad composition. Collectives, however, have absorbed all of them, providing them food and arrang[ing] work for them to do”]; **D69.1.42** Khieu Samphan, *Considerations on the History of Cambodia*, 2007, EN 00498281, KH 00380460-61 [Khieu Samphan acknowledges the rapid expansion of high-level cooperatives]; **D4.1.882** *Revolutionary Flag*, Feb-Mar 1976, EN 00517828, KH 00063207-08 [“After the liberation of the entire country, immediately after the tens of thousands and hundreds of thousands of new evacuees from the various cities went to the rural base areas”], EN 00517837, KH 00063220 [“the nearly 3,000,000 people in the various cities were relocated to live and to increase production in the countryside”]; **D4.1.784** Pech Chim WRI, EN 00379308, KH 00373392 [“There were so many people who were evacuated from Phnom Penh. They traveled on the road and stopped in any villages and communes they found along the road. So we had to gather them, organize and send them to different villages and communes”]; **D4.1.587** Thiounn Prasith WRI, EN 00346944, KH 00348327 [“As for the displacement of people from towns, the [justifications were] the possible US bombings[,] also the need to fight the famine. More people were needed in the countryside for agricultural production”]; **D4.1.447** Chak Muli WRI, EN 00288203, KH 00273429-30 [“Q: Did you know how many people were evacuated from the East Zone to Pursat Province? A: [I just] knew that there were thousands and hundreds thousands of people from the East Zone; but I did not know the actual number. [...] Upon their arrival, they were divided to the cooperatives”].
- 1105 See, e.g., **D98/3.1.138** Lay Bony, T. 24 Oct 2012, 09.32.17-09.34.54 [“I [was] made to live in a private house assigned by the Khmer Rouge”]; **D11/160/4.1** Or Ry, T. 23 Nov 2012, 09.19.38-09.20.51 [in Pursat Province, Northwest Zone: “They already built a long house for the families and we were put into one room”]; **D4.1.816** Sao Hean WRI, A21 [in Takeo Province, Southwest Zone: “I saw there were many [17 April people] and that small thatch huts were built for them to live in one area”]; **D114/33** Hem Ang WRI, A217 [in Cooperative 7, Sector 37: “I did not have any specific house. I was placed to live in one house for a few months. Then I was moved to live in another house for a few months”]; **D4.1.552** Kev Ne WRI, EN 00327168, KH 00251678-79 [at the Kampong Kandal salt fields in Kampot Province, Southwest Zone: “They built long buildings for us to live in; they were surrounded by thatch walls. [...] Each unit of 50 had one long

building to life in, and they slept in teams to make it easy for the team chiefs to inspect who went to work and who did not”].

1106 See, e.g., **D4.1.965** Meng-Try Ea and Sopheak Loeung, Note takings (Khieu Samphan and Nuon Chea), 9-11 Jun 2006, EN 00000928, KH 00347036 [Khieu Samphan: “In the cooperative[s] people were not free”]; **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 11.02.28-11.03.24 [in Takeo Province, Southwest Zone: “At that time, when we were working at a worksite, even if we had to relieve ourselves, we had to inform our group chief or unit’s chief, to get their permission first. We had to tell them how long it would take. If we were longer than usual, then we were accused of having a psychological sickness”], 11.05.04-11.06.18 [“nobody dared to walk freely”]; **D114/166** Phin Yeang WRI, A30 [“They did not allow us to walk freely. When we went anywhere, they chased us and brought us back”]; **D114/33** Hem Ang WRI, A265, 267 [in Cooperative 7, Sector 37: “I did not go anywhere else as I knew that I did not have a right to move freely. [...] Q: Was it possible if you wanted to go outside the cooperative at night? A267: No. At night, we were not allowed to go anywhere”]; **D114/53** Uk Sok WRI, A92 [in Kampong Som: “During that era, we dared not go any other places besides our designated place”].

1107 See, e.g., **D114/162** Cheam Nha WRI, A43 [confirming that he told DC-Cam that the person in charge of the division set a production quota higher than the planned quota and that if anyone could not achieve the target quota they would be punished]; **D10.1.65** Uk Phorn WRI, EN 00372930, KH 00368659 [“Upper-echelon set the quotas. Q: Did you lead the people to meet the quotas? A: Upper echelon did actually designate three tons, but we were unable to do that”]; **D114/156** Soeng Noch WRI, A98 [“At the meetings they said, ‘*Angkar* has set a quota. Each person has to pick up 200 ripe coconut fruits per day.’ If we could not fulfil that quota, they would punish us by putting us to stand under the scorching sun or under the rain, or they would assign us to do hard labour”]; **D4.1.560** Um Chi WRI, EN 00282347, KH 00271398 [“In digging the canal, they set a quota for each person to dig and carry 3 cubic meters of soil. Most people could not meet that quota; only about 30 percent could meet that quota”]; **D4.1.549** Ching Phoeun alias Uon Saroeun WRI, EN 00705443, KH 00251668 [“A small ampok (field) with 10 meters wide and 20 meters long could produce about 2 to 3 tons of salt. They had us carry away all salt from the field within one day. If we could not finish it we had to work at night until we had finished”]; **D4.1.538** Chum Lorn WRI, EN 00250066, KH 00241998 [“At night, we carried salt from 7 p.m. until 1 a.m.; each team had to carry three tons, and if any of the workers did not come to work, the unit chief would go look for them at the places where they slept. The work of carrying salt had to be completed as designated before we could rest; we carried [salt] day and night”]; **D4.1.549** Ching Phoeun alias Uon Saroeun WRI, EN 00705442, KH 00251667 [“When it was about to rain and more salt accumulated, they had us work three days and nights in a row without any rest”]; **D4.1.387** Pen Heng WRI, EN 00163697, KH 00163690 [“They had me work the rice fields, and working the rice fields was very hard work there. In the morning we began work at 4 on until 11 or 12 noon, when they had us eat. There was no rest after lunch; we continued working until 5 before stopping to eat. After the evening meal, they had us help pull seedlings for transplanting or carry soil to make ponds until 11 or 12 at night”]; **D114/96** Cheng Laung WRI, A69 [“the people who worked at the dam construction worksite worked in hardship, for they had to work day and night”]; **D114/198** Pin Sam Aun WRI, A152 [“We were not allowed to take a rest. We were supposed to work until we could no longer work”]; **D114/121** Suon Phar WRI, A46 [“We worked all week and all month without rest, except when we had a meeting. In the meetings, they talked only about working hard”].

1108 See, e.g., **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 11.28.55-11.29.54 [in 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”]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 14.24.54-14.29.35 [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”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891, KH 00738344 [“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”]; **D234/2.1.34** 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

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00992134 ["Husbands, wives, parents and children were often separated into distinct work units or even moved to different geographic locations. [...] Although there was some variation in these practices, most notably on the basis of one's status in the regime and sometimes geographic location, family life as most Cambodians had known it was dramatically altered under Democratic Kampuchea"].

Through the use of criticism and self-criticism sessions to displace former belief systems: D54/74.1.12 *Third Year Anniversary of the Organization of Peasant Cooperatives*, 20 May 1976, EN 00636026, KH 00442230 ["The political-psychological, propaganda and educational affairs shall be extensive, detailed and carried out continuously. [...] short term one-to-two hour indoctrination sessions shall be organized frequently. Break time shall be used for recuperation and re-education"]; **D234/2.1.99** Alexander Hinton, T. 14 Mar 2016, 15.15.14-15.17.50 ["the DK regime sought to establish a society and to reorganize society in such a manner that every single person would refashion, sharpen their consciousness and turn into a pure revolutionary citizen. [...] you can see it in the attempt to rusticate the population, [...] through the mechanism of criticism and self-criticism sessions, through re-education itself. [...] [T]he idea of criticism and self-criticism sessions came from the notion that revolutionary consciousness was in some sense unstable. It constantly had to be fashioned and re-fashioned and people had to get together and talk and look at their weaknesses, how they had been led astray. So it was an ongoing constant struggle"]; **By prohibiting and/or trying to destroy sources of loyalty, attachment, and meaning: Family: D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 15.13.40-15.16.17 [at a meeting in Phnom Penh in 1975, 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 ["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"]; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.23.50-09.25.50 [the witness, a former guard at S-21, recalled: "During the study sessions [at S-21], there were many participants, including myself, [who were told] 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"]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237929, KH 00232298-99 ["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"], EN 00237930-31, KH 00232300 ["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 Angkar. Nearly all directives of the Khmer Rouge led somehow toward the dissolution of the family"]; **D54/74.1.20** 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"]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime: Stories of Survivors from the Democratic Kampuchea (1975-1979)*, EN 00421891, KH 00738344 ["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"]; **Religion: D98/1.2.40** David Chandler, T. 20 Jul 2012, 15.48.38-15.49.26 ["there's no religion that the Khmer Rouge didn't think was 'reactionary.' [...] in other words, 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"]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 11.13.26-11.15.21 [the DK regime's destruction of pagodas and Buddhist statues was "the crushing of something that was absolutely central to Cambodian ways of life"]; **D11/91/3** Bun Sarouen, T. 3 Apr 2015, 10.38.36-10.39.58 ["I was absolutely torn because this was a sacred place and there were no longer any monks there and in the past there used to be celebrations, ceremonies but there were no longer any religious practice so I felt that I was completely deprived of any psychological base. In the past, we could go celebrate ceremonies in the pagoda but now there was no longer a place to do so and that was in fact incredible, it was an incredible regime"]; **D11/523/3** Meu Peou, T. 29 Feb 2016, 09.29.41-09.33.44 ["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. [...] During the regime, there was no religion"]; **D234/2.1.65** Cheang Sreimom, T. 29 Jan 2015, 10.58.35-11.01.45 ["It was said that there would not be religions [...] We [were] instructed not to believe in such Buddhism because [...] it was just a superstition"]; 13.48.23-13.56.33 [at

district-level meetings at Angk Roka and Angk Roleay, the leaders emphasised that the people should not “pay respect to the Buddha statue which was just a piece of a concrete stone”]; *The monarchy*: **D1.3.17.2** Craig Etcheson, *The Rise and Demise of Democratic Kampuchea*, EN 00393335-43 [see “To Kill Two Kings”]. **By casting the CPK leadership as the anonymous, omnipresent, and all-powerful Angkar to foster fear, uncertainty, and submission**: **D234/2.1.65** Cheang Sreimom, T. 29 Jan 2015, 13.51.48-13.53.38 [“I did not know clearly the people who presided over the meeting as they were referred to as Angkar, but I didn’t know where that Angkar came from, we just knew that Angkar was from above”]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 11.23.44-11.24.50 [“Angkar was a way to displace blame so that when people were taking away people to kill, they say, ‘You’re going to go see Angkar’ and that was a way, of course, of displacing responsibility [...] so Angkar was feared in many different ways because Angkar could kill”]; **D114/297.1.35** Peggy Levine, T. 12 Oct 2016, 09.18.44-09.20.25 [“the concept of Angkar [...] creates yet a whole other cosmological dimension of suspicion and dread”], 09.30.13-09.33.35 [“if deceased ancestors’ spirits roam, someone said to me, certainly Angkar must have the capacity to do the same”], 09.33.35-09.35.01 [“Some force was making things happen and creating chaos that people were trying to catch up with. [...] if you can’t make logical sense of something and there’s already a pre-existing foundational system by which people perceive roaming spirits, possessing spirits, transforming spirits, trickery spirits, spirits that could trick you, it made perfect sense that people would start to experience a particular kind of fear that was familiar to them when they couldn’t figure out what was going on. And the possibility of Angkar being some force that was hard to reckon with became larger over time”], 10.10.09-10.12.38 [“that subliminal Angkar fear [...] was omnipresent for them”], 10.22.28-10.23.48 [an interviewee told Levine: “Angkar could come out of the ground at any time; we’re not even safe today”]; **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 11.18.16-11.20.35 [“I worked wherever I was assigned by Angkar. And nobody could protest that”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 11.17.10-11.18.54 [“I tried to refashion myself in order to gain trust from Angkar”]; **D11/523/3** Meu Peou, T. 29 Feb 2016, 09.16.51-09.18.47 [“I was at the mercy of Angkar [...] and I had to work according to the orders of Angkar”].

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Food rations for different categories of workers were specified in the Party’s planning documents, but the operational conditions imposed by the Party ensured that the actual rations provided to the workforce rarely reached the mandated levels. See, e.g., **D4.1.38** CPK document, *The Party’s Four-Year Plan to Build Socialism in All Fields, 1977-1980*, as published in David Chandler et al., *Pol Pot Plans the Future*, EN 00104053-54, KH 00075906-10 [“The People’s Eating Regime” section plans for rations to include rice, side dishes and regular desserts, saying that cooking “tasty and high-quality food and desserts” is a high revolutionary duty]; **D11/199/4** Em Oeun, T. 27 Aug 2012, 11.38.18-11.40.34 [recalling training from Khieu Samphan: “I still recall what he told us and the political lines at that time. They wanted to uncover the enemy burrowing from within, and in doing so, we had to assign much hard labour; we had to give them a lot of work, little food to eat so that they - so that we could uncover the enemies from within”]; **D98/1.2.39** David Chandler, T. 19 Jul 2012, 13.44.28-13.46.01 [“they cut back on the amounts of rice that was supposed to be set aside for seeds and for feeding the population, in order to deliver a sufficient amount up the line. [...] All over the country, in all kinds of evidence you get, you’ve evidence of food supply going down, nutrition going down, starvation coming up, deaths from malnutrition going up, all connected, I think, to the kind of scare qualities of this 3 tons target”]; **D11/160/4.1** Chau Ny, T. 23 Nov 2012, 14.06.40-14.07.25 [in Chak Thum cooperative, Battambang Province: “At that cooperative, a lot of people died of food shortages and starvation”]; **D11/78/3** Soeun Sovandy, T. 4 Jun 2013, 11.34.01-11.35.52 [“as for our food ration, the watery gruel was purely water and if they saw us – some vegetable inside our gruel, then they would beat us. [...] They said that it serve us well when we came to the countryside enduring starvation. That’s what they mocked at us”]; **D98/1.2.11** Romam Yun, T. 10 Jan 2012, 14.47.16-14.51.40 [“the food was not enough. Some people were hanging themselves because they could not really stand the situation. People at the sector zone or provincial level only pretended to say that people in the community were having decent lives, having enough food to eat but, in reality, it was not true because we could not really produce enough food, grow enough crops to feed the villagers”]; **D98/3.1.198** Ong Thong Hoeung, T. 7 Aug 2012, 15.45.51-15.48.01 [“There was barely any fish in the soup, or in that gruel mixed with morning glory. It’s like the food we give pigs to eat”]; **D54/36** Brak Sokha WRI, A12 [“The food regime was insufficient. Sometimes we had rice and other time we had gruel mixed with water lily or water convolvulus”]; **D114/31** Moul Chhin WRI, A114 [“Q: Did you receive enough food? A114: No, it was not enough. Each worker received a small bowl of rice served with fish soup. I was used to eating three to four bowls of rice per meal. It was insufficient, and we received that ration only two times per day-once at noon and once in the evening”]; **D114/179** Snguon

Chhum WRI, A11 ["I received only a ladle of rice gruel per day (the witness used his hands to show the size of a small bowl)"]; **D88.1.9** David Chandler, *A History of Cambodia*, EN 00817715 ["By early 1976, food was already scarce, since the surpluses from the first harvests had been gathered up to feed the army, to be stored, or to be exported. The situation deteriorated in 1977 and 1978 when much of the country was stricken with famine. Many survivors recall months of eating rice gruel without much else"]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678618, KH 00637743 ["In the Northwest, [the death toll] probably reached the tens of thousands in Region 5 alone. [...] Perhaps forty thousand people had perished throughout the Zone in 1976, mostly from starvation"], EN 00678719, KH 00638011 [in the Southwest Zone: "Twenty to thirty percent of the population died of starvation in 1977-78"].

1111 See, e.g., **D4.1.537** Au Hau WRI, EN 00250047, KH 00239910 [in Baray District, Kampong Thom Province: "During the dam construction many people were sick due to lack of food and hygiene and the many flies. The illnesses included fevers, dysentery, cholera, etc. The majority of those who fell ill died. At that time, Zone and Sector medics came to examine the sick. They handed out rabbit-pellet medicine and bottled medicines to drink which had the nature of liquor. Those medicines were ineffective"]; **D4.1.421** Chuch Punlork WRI, EN 00275403, KH 00221548-49 [at the Kamping Puoy Dam in Battambang Province: "Those putting up the dam did not have enough to eat, and had illness with no medications to treat them. [...] Deaths occurred every single day"]; **D4.1.817** Bun Thien WRI, EN 00384408, KH 00368611 [in Sector 13, Takeo Province: "we were told to improve medical practices by means of collecting herbs and medicines and mixing them by ourselves. We must not ask for them from anywhere (self-reliant)"]; **D46** Che Heap WRI, EN 00804120, KH 00804126 [at the Kampong Chhnang airport worksite: "there was no doctor we could call upon and we had to manage without any medical care"]; **D10.1.70** Kim Saroeun alias Chhay Sambath WRI, EN 00375476, KH 00368630 ["There was not enough medicine in the [Sector 37] hospital. If there was any medicine, it was only for the troops"], EN 00375478, KH 00368632 [the witness had to help bury 25 to 30 bodies per day at the Sector 37 hospital: "Q: What did they die from? A: The deaths were from lack of food, overwork, illness, emaciation, swelling of the legs and face, and lack of medicines to treat them"]; **D4.1.807** Ieng Chham alias Chhi WRI, A74-77.

1112 See, e.g., **D4.1.986** FBIS, *Khieu Samphan's Speech at Anniversary Meeting*, 15 Apr 1977, EN 00419514, KH 00292807 ["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"]; **D4.1.873** *Revolutionary Flag*, Aug 1975, EN 00532694, KH 00399140 ["When there are no livestock, the brothers and sisters use their own manpower to pull the plows and harrows. When there is nothing to plow and harrow the ground to work the rice paddies, the brothers and sisters use hoes and their own two bare hands to dig and clear the ground and break it up until it is clean and rice can be planted"]; **D4.1.50** *Revolutionary Youth*, Apr 1976, EN 00392436, KH 00064289 ["In the movement to put up new paddy dike systems and dig new feeder canals [...] our revolution is still poor and does not have the potential of sorting this out with all kinds of machinery. But, since our revolution has a solid mass outlook, we assembled the popular masses and mobilized the masses throughout the country to work night and day. Therefore, we were capable of doing it"]; **D4.1.896** *Revolutionary Youth*, Apr 1977, EN 00491112, KH 00376249 ["We do not have any machinery and modern equipment, but we are able to rebuild our country quickly with both hands"]; **D98/1.2.12** Prak Yut, T. 25 Jan 2012, 14.44.58-14.46.50 ["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 manpower, or people"].

1113 See, e.g., **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428297, KH 00064495 ["enemies of every type had even gone further to wreck the people's standard of living. They have starved the people and made them thirsty, caused them to have nothing to wear and no place to stay. They wreck water, wreck seed rice, wreck rice seedlings, wreck compost, wreck draught animals, wreck plows and harrows, wreck digging tools, wreck spoons, plates and pots, wreck everything, do whatever can be done as long as it makes our people hunger and have nothing to eat. The concealed enemies boring from within wreck the line of resolving the people's standard of living"]; **D1.3.27.3** Standing Committee Minutes, 26 Mar 1976, EN 00182657, KH 00000756-57 [Nuon Chea demanded vigilance against escapees who did not return to their cooperatives, noting "The bases have taken measures on this problem already"]; **D4.1.206** Telegram 242 from Nhim to Angkar 870, 11 May 1978, EN 00185215, KH 00021043 ["external enemies came in on May 5 and succeeded in encouraging and moving some people away with them. However, when they were trying to escape away with 40 people, we smashed all of them, with the only two that had escaped being under our further pursuit. In Region 5, 4 and 3,

likewise, there were sort of people movements by enemies, though we smashed most of them. They could rarely make it to either escape or enter”; **D1.3.34.11** Telegram 11 from Deum to Brother Mut (Meas Muth), 24 Sep 1976 [“in Riem and Baboh subdistricts [...] five of them fled into the forest, were pursued and arrested by us”]; **D11/44/3.1** Iem Yen, T. 2 Apr 2015, 09.19.50-09.22.36 [“I was with the children’s unit, and due to the hard work condition, I ran away from the unit. And then the unit chief arrested me, and I meant I was then sent back to the children’s unit. And I was tortured there”]; **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 11.05.04-11.06.18 [“At that time everybody, including myself, trie[d] to abide by the organisation discipline and we did not dare to violate it as we were afraid that we would be taken away and killed”]; **D234/2.1.41** Nuon Chea, T. 13 Dec 2011, 10.35.21-10.37.11 [“there were still bad elements in some of the cooperatives. They intended to destroy, the cooperatives. For example they destroyed [...] the utensils, for example the pots, the spoons, they destroyed them -- they threw them away at the Tonle Sap. And as a result in some cooperatives, there were shortages of those cutleries”]; **D98/3.1.28** Chhouk Rin, T. 23 Apr 2013, 09.41.15-09.45.15 [“[a] mistake could be very minimal and people could be killed for committing such small wrongdoing, for example, like losing a hoe or breaking something. And people who attended study sessions would also be arrested after the sessions concluded, so all these made it reasonable to believe that we were fearful”]; **D11/54/3.1** Preap Sokhoeurn, T. 24 Oct 2016, 15.24.14-15.26.14 [“the fear came from inside me because that’s what I observed. People made mistakes and they were arrested and taken away”]; **D98/3.1.17** Chea Tha alias Chaol Sen WRI, EN 00327176, KH 00251660 [“Some [escapees] were captured, for instance in my unit one was captured. When they captured her, they withheld her food and sent her to the prisoner holding site at Phnom Sanlong and did not let her return to the unit”]; **D4.1.484** Seng (Sen) Srun WRI, EN 00242087, KH 00218554 [“I knew that they would have killed any villager who ran away because I personally saw them kill a prisoner from the Ta Kot Worskite after he had [run] off a distance of about 100 meters in early 1976”]; **D4.1.552** Kev Ne WRI, EN 00327168, KH 00251678 [“there were people who escaped, and they were chased down and brought back. About 20 people escaped from Kampong Kandal, and about seven of them drowned. The survivors were followed and captured at Noreay, and they were all put in Tracy Koh. [...] the only disappearances were those who escaped, and they were captured and taken to be reeducated at a different location”]; **D10.1.45** Koam Yo WRI, EN 00275023, KH 00206412-13 [“I saw the killing of seven to eight year old children. [...] Those children were from the children unit, assigned to cut *Tuntrean Khet* leaves [...] The Khmer Rouge caught them while they went secretly to see their parents. [...] they were caught and sent back to Koh Kyang, where their bellies were cut open alive before other prisoners as a warning not to follow their example”]; **D114/31** Moul Chhin WRI, A116 [“Escape from Preaek Chak worksite was rare. It was strictly controlled. Anyone who tried to escape and was captured was killed immediately”]; **D114/163** Chea Tha WRI, A30 [at a salt farm in Kampot Province: “Q: So, if someone did not do their work well, they would be detained and sent to Sanlong Mountain. Prisoners who had made serious mistakes were killed. Is that correct? A30: Yes, it is”]; **D114/85** Chet Bunna WRI, A5-6 [“if they were not fond of our behaviour or work, or if we complained about the work, they would immediately send us to Teuk Sab. [...] A6: While we were within this bad component unit, we were convinced that if we made even a minor mistake, we would immediately be taken to be punished”]; **D114/33** Hem Ang WRI, A49, 68 [“We had itchy rashes all over our arms and legs, and we could not make any complaint because we were afraid of being taken to be killed. We only worked without daring to complain about anything. If we complained, we would lose our lives. [...] Q: What mistakes did the three people make that led to them being sent to Koh Khyang Island? A68: The cooperative chief reported that they did not work well, and in the end they were accused of being enemies”]; **D4.1.889** Loeung Bunny WRI, EN 00384779, KH 00375539 [at Kasang Cooperative in Prey Nob District: “I know of a case of a young boy named Nuch; he was very hungry, and he stole food. The Khmer Rouge tied him and put him in a sack and threw him in a creek, but he survived and returned to the cooperative. The Khmer Rouge threw him again into the creek two or three times, he did not die, but finally the Khmer Rouge killed him with a sharpened wood stick [...] I witnessed that”]; **D4.1.844** Prak Yut WRI, A29 [in Kampong Siem District, Kampong Cham Province: “bad persons were those who stole rice and other things from others, or stole foods to eat because they were hungry. [...] For the bad persons, we sent them to the commune so that [the commune] could reeducate them”]; **D4.1.534** Sok Thul WRI, EN 00242361, KH 00238888 [in Svay Rieng Province: “According to what I saw, the people they arrested and brought in [to the security office] included both men and women. The majority of them had been arrested because they had stolen food to eat, stolen their own chickens to eat, and had been immoral. They were arrested, sent to the office, put in leg shackles, and interrogated. I heard screams during interrogations while I was walking tending cattle near that area”]; **D46** Che Heap WRI, EN 00804119, KH

- 00204125 [“At a lifestyle meeting, the chairman of this meeting said that if anybody complained, they would be made to disappear. We were under threat even if we were caught talking about the lack of food”]; **D4.1.848** Chhouk Rin WRI, A4 [“Nuon Chea explained that those who caused the damage of ploughshare, hoe, spoon and so on were considered as enemies because they wanted to destroy the Communist Party of Kampuchea. He taught how to follow the enemy’s trail and when we found one enemy we had to cleanse that enemy”]; **D4.1.816** Sao Hean WRI, A42 [“Even people who had conflicts about not getting enough food or who had broken a spoon or a plough were considered to be enemies”].
- 1114 **D1.3.27.12** DK Military Meeting Minutes, *Minutes of the Meeting of Division and Independent Regiment Secretary(s) and Deputy Secretary(s)*, 18 Aug 1976, EN 00234456-57, KH 00052376-77 [Brother 89 (Son Sen) sets out the Party’s plan regarding rice production for the army and the amount of land to be cultivated, to be implemented by a 40,000 person force; the plan is also broken down into quotas for each division].
- 1115 See, e.g., **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976 [Commanders Sou Met (502), Meas Muth (164), Sokh (170), Pheap (488), Tal (290), Huy, Oeun (310), Suong (450), Pin (703), Hin, Sim (152), Tin, and Brother 81 (Seat Chhe) report, *inter alia*, on production efforts, including those falling short of the set quotas, food supplies getting close to running out, and illnesses affecting the people, with Sou Met specifically noting in his area that it is caused by the lack of hygiene at living sites; Brother 89 (Son Sen) then gives instructions on measures to implement going forward]; **D1.3.27.22** DK Military Meeting Minutes, *Minutes of the Plenary of the Brigade/Division Committees/Commanders*, 21 Nov 1976 [Sou Met (502), Pin (703), Oeun (310), Sok (170), Suong (450), Tal (290), Nay (377); Meas Muth (164), Pheap (488), Sim (152), and Vin (75) report on production activities and projected shortages; the total shortage is estimated to be between 5,000-6,000 tons; Nat of the General Staff says the projections were not wrong, they just had no experience in crop collecting, which caused lower performance than projected; Brother 89 (Son Sen) then gives instructions regarding measures to implement in order to solve the shortages; Meas Muth specifically reports that to feed 12,000 persons in the military and civilians, his unit will be short by 310 tons of rice]; **D1.3.27.23** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics Officers of Divisions and Independent Regiments*, 15 Dec 1976 [Sou Met, Pin, Sokh, Savoeun, Voeung, Suong, Say, Soeun, Pheap, Sim, Nai, and Rin provide situation reports on activities in their areas, including production efforts and shortages; Son Sen (Brother 89) gives instructions, including “Any unnecessary work must be paused, even ongoing study must be postponed” so that harvesting is done in a timely way]; **D1.3.8.2** DK Military Meeting Minutes, *Minutes of the Meeting of all Division Committees*, 1 Jun 1976 [Brother 89 (Son Sen) assigns production tasks and hears production activity reports from Tall (290), Pin (703), Sok (170), Oeun (310), Sou Met (502), Suong (450), Mut (Meas Muth) (164), Pheap (488), Chen, and Sim (152)]; **D1.3.8.3** DK Military Meeting Minutes, *Minutes of Meeting of the Military Work in Kampong Som*, 3 Aug 1976, EN 00234012, KH 00021496 [Comrade Mut (Meas Muth) reports that “One regiment (three battalions) are placed on Koh Wai, Koh Tang and Koh Rong, one battalion on Koh Seh, and one battalion on another island close to Koh Seh where there are over 100 hectares of cultivation land, a coffee farm and a rubber plantation. [...] People grow rice on islands and even plant fruit trees such as coconut, rambutan, durian”], EN 00234014-16, KH 00021499 [Comrade Secretary (Son Sen) says, “We have to strengthen and expand [the islands] by making [them] a farm of fruit trees, a plantation, a place for both military and economic benefits” and discusses crop planting and diversification that must be done]; **D1.3.27.8** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Economics of Divisions*, 16 May 1976, EN 00923159, KH 00088910; **D1.3.8.7** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Deputy Secretaries of Divisions and Regiments*, 18 Oct 1976, EN 00877019, KH 00095531; **D1.3.27.11** DK Military Meeting Minutes, *Minutes of the Meeting of the Committees Attached to Divisions and Independent Regiments*, 12 Aug 1976 [Brother 89 (Son Sen) discusses production falling short of the quotas and says it is “on account of leadership by Party members”]; **D1.3.27.24** DK Military Meeting Minutes, *Minutes of the Meeting of Division 920 Comrades Say and Ren*, 16 Dec 1976; **D1.3.27.26** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977 [Sou Met, Chhin, Maut, Pheap, Yan, Sokh, Sim, Tal, Pin, Sao, and Rin report on the situations in their units, including production activities and shortages; Brother 89 (Son Sen) gives instructions for implementation]; **D1.3.27.25** DK Military Meeting Minutes, *Minutes of the Meeting of Division 801*, 16 Dec 1976, EN 00874987-88, KH 00052330-31; **D1.3.19.2** Message to the Beloved Committees of Divisions and Regiments from Khieu of the General Staff, 3 Sep 1977 [instructing the divisions to storm attack rice cultivation “to ensure 100% completion of the plans” and encouraging them to do whatever can be done beyond the plans].

- ¹¹¹⁶ See, e.g., the evidence cited in fn. 1092 above. See also **D1.3.30.9** DK Report, *Joint Statistics of Armed Forces – March 1977*, 7 Apr 1977 [noting there were 1,127 Division 310 forces and 1,526 Division 450 forces at Kampong Chhnang]; **D4.1.504** Kev Kin WRI, EN 00290500, KH 00282941 [when the witness first arrived at the Kaing Leav airport in Kampong Chhnang, he was forced to dismantle houses, fell trees, and dig up tree stumps], EN 00290501, KH 00282943 [“From four thirty to five in the morning, the people at the construction site had to help people transplant rice seedlings at paddies near the airport every day in the rice seedling transplanting month. The work at the construction site started from seven until eleven, then rested to have meal and resumed from one in the afternoon until five in the evening. At night, we started from seven until ten thirty. The work was very difficult because it was hard labor work such as carrying cement and sand. We worked without rest because there were people inspecting the work”]; **D4.1.508** Chan Man alias Chuop Sokhon WRI, EN 00292823, KH 00287527 [“At the beginning, those soldiers had to cut the trees, pull out tree bases and collect all plant roots, no matter it was as tiny as a piece of chopstick. [...] The work was divided and assigned into sections, including bulldozing, rock breaking, roots screening etc. They were the hardest and strictest works”]; **D4.1.513** Khin Vat WRI, EN 00315914, KH 00304365 [at Kampong Chhnang Airport (late 1977): “I saw those soldiers dig out palm tree stumps, clear the forest, pour cement, blast rocks in the mountain, make caves on the mountain located east of the airport. I heard that the caves were to be for parking aircraft. Those working soldiers were both men and women. [...] Work was very hard because the upper echelon had ordered them to speed up the construction so that they could make use of the airport”]; **D4.1.1151** Prak Yoeun alias Y WRI, EN 00223337, KH 00172081 [“In late 1977, they sent me to build the airfield at Kampong Chhnang. I lived and worked there until the fall in 1979. There, at first, they had some of us lay stone, and some break rocks. [...] The work there was day and night, [...] but there were two meals”]; **D4.1.773** Tes Trech WRI, EN 00346979-80, KH 00342437 [“I was sent to Kampong Chhnang alone in approximately 1978. They had me make holes in the rock to put dynamites for the blasting in order to make caves for parking aircrafts, and the rocks were grinded for the airfield runways. [...] Sometimes they had me dig dirt at the airfield worksite. [...] We only had rice gruel twice a day and it was not enough. Each meal, a worker was given a small bowl of gruel”]; **D4.1.505** Sum Sokhan alias Sreang WRI, EN 00292864-65, KH 00282959-60 [“I arrived at the construction site of the Kampong Chhnang airport in April 1978. [...] Regarding the work, in the morning we lined up to educate and [criticise] each other and exchange work experience. After that, we had to reach the workplace at six and started work [until] eleven; then we rested to eat gruel. We resumed work from one until five in the evening. Then we rested an hour to eat gruel. We resumed work from six to eleven. We had such work conditions every day without Saturday and Sunday. I saw the workers get sick because of starvation and die because of overwork”]; **D1.3.32.39** Sem Hoeun alias Kim DC-Cam Statement, EN 00876511-12, KH 00020591 [“Q: And the people who were sent to the Kampong Chhnang worksite were all prisoners? A: Yes, all of them were prisoners. [...] They were sent from various zones and provinces. For example, accused people from the East Zone and Siem Reap were sent to that correction camp. They were ordered to break rocks”].
- ¹¹¹⁷ See, the evidence cited in the **VIII.E. Stung Hav Worksites – 3. Crimes - Enslavement; VIII.E. Stung Hav Worksites – 3. Crimes - Other Inhumane Acts; VIII.F. Ream Area Worksites – 3. Crimes - Enslavement; VIII.F. Ream Area Worksites – 3. Crimes - Other Inhumane Acts (Inhumane Treatment)** sections of this Submission.
- ¹¹¹⁸ **D1.3.16.3** Norwegian Government, *Submission of the Government of Norway under Commission on Human Rights Decision 9*, 18 Aug 1978, EN 00087546, 00087561, 00087563-64, 00087566, 00087568-71; **D1.3.30.28** 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 Jan 1979, EN 00078652-53, 00078661, 00078663-64; **D4.1.958** US State Department, *Memoranda for the President: Life Inside Cambodia*, 10 May 1976, EN 00495458, 00495464-65; **D4.1.957** 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 00495556-60; **D114/36.1.13** Chicago Tribune, *Cambodians Flee Red Invaders; it's clear 'some won't survive'*, 9 May 1975; **D114/36.1.16** New York Times, *Cambodia's Crime*, 9 Jul 1975; **D114/36.1.21** Washington Post, *A Story of Terror in Cambodia*, 10 May 1978; **D114/36.1.22** New York Times, *Refugees Depict Grim Cambodia Beset by Hunger*, 2 May 1977.
- ¹¹¹⁹ See, e.g., **D4.1.65** Minutes on the Standing [Committee's] Visit to [North]west Zone, 20-24 Aug 1975; **D1.3.27.5** Standing Committee Minutes, 19-21 Apr 1976, EN 00183421, KH 00019147-48 [“The Standing Committee will go down to the bases in May [to] [...] Push early season rice, especially in the large zones like the Northwest, North, Southwest, and Siem Reap”]; **D4.1.1142** Tha Sot WRI, EN 00226110, KH 00204742

["I took Nuon Chea to the provinces of Prey Veng, Svay Rieng, Siem Reap, Kampot, Battambang, Kampong Som, Takeo, Kratie, and Stoeung Treng to meet with the cadres and the soldier chiefs in order to disseminate and educate them the [party] policy. [...] He also went down to see the dam sites very often about five to six times per month. Nuon Chea saw the hardship of and the destitute [condition] of the people. I took Khieu Samphan who accompanied Prince Norodom Sihanouk to visit the provinces of Siem Reap, Battambang, Kampot and Kampong Som. I also drove uncle Pol Pot to see people building dams and digging canals. Sometimes, Nuon Chea went with Pol Pot"]; **D4.1.240** Oeun Tan WRI, EN 00235131, KH 00231804 ["I escorted [Pol Pot] to Battambang, Takeo, Siemreap, Kampong Thom, Kampong Chhnang, Kampong Cham, and Kratie, to meet with Sector and Zone level leaders and to hold meetings with one another"]; **D4.1.1149** Ros Suy WRI, EN 00205113, KH 00172051 ["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)"]; **D54/17** Say Born WRI, A14-16 ["Q: You have identified the location of a brick kiln near Kang Keng Airport along the way to Ream. What do you know about that place? A14: It was a Division 164 labour site. I went there once in late 1975. I had some friends who worked there [...] A15: [...] the Commander of Division 164, Meas Mut, inspected the work there [...] A16: I asked my friend who was working there, 'Has Meas Mut ever come to see this place?' My friend said that he had come to look there"]; **D4.1.850** Soutr Toeung WRI, EN 00414594-98, KH 00408435-40; **D4.1.1133** Seng Lytheng WRI, EN 00223564, KH 00204025; **D4.1.1140** Yim Laing WRI, EN 00204732, KH 00204727.

1120 See, e.g., **D4.1.65** *Minutes on the Standing [Committee's] Visit to [North]west Zone*, 20-24 Aug 1975, EN 00182998, KH 00008485 ["remote districts are still in need and many are also suffering from diseases. New people lack both food and medicine"]; **D4.1.76** *Minutes of Council of Ministers' 2nd Meeting*, 31 May 1976, EN 00182678-79, KH 00000790 ["Eating ration: [...] There were two places that were short of [ration], but were able to resolve [this issue] [...] Human diseases: Still existed"]; **D4.1.78** *Standing Committee Minutes, Minutes of Meeting on Health and Social Affairs*, 10 Jun 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"].

1121 See, e.g., **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491400, KH 00063008 ["During 1976, we lacked food supplies, medicines"]; **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185337, KH 00064571-72 ["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, KH 00064581 ["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"].

1122 See, e.g., **D4.1.579** Telegram 94 from Pok (Ke Pauk) to Brother Pol, 2 Apr 1976, EN 00182658-59, KH 00000766 [reporting "much fever and diarrhea" amongst people in the Zone, which was addressed by reducing work hours]; **D4.1.224** Telegram 14 from Phuong to M 870, 31 Dec 1977 [reporting food shortages in cooperatives and worksites from Chhlong to Kroch Chhmar while enemy activity is cutting off road access]; **D4.1.1039** Telegram from Lao to respected Brother, 15 Nov 1976, EN 00548800-01, KH 00021111 [reporting that in districts 21 and 22, "Rice production is not enough to feed people in the whole sector" and illnesses include malaria, stomachaches, blood in urine, and jaundice; in District 34 "It's tough" - the food shortage situation is severe - and illnesses include high temperature, diarrhea, and convulsions; in districts 82 and 83, three people receive one tin of rice per meal, the number of lepers has increased to more than 1,000]; **D4.1.227** Telegram 254 from North Zone Secretary Sae to Committee 870, 10 Jan 1978, EN 00182758, KH 00001061-62 [reporting enemy destruction of production in Sector 103 and starvation in Preah Vihear sector caused by a poor harvest]; **D4.1.899** DK Military Meeting Minutes, 16 May 1976, EN 00517911-13, KH 00376666-68 [various commanders report on the situation in their units, including Oeun (Div. 310), who reports that there are more than 800 sick people in his unit; *Angkar* acknowledges that the wrong drugs and dosages are being administered]; **D1.3.30.2** Unit 164 Monthly Report from Muth (Meas Muth) to Brother 89 (Son Sen), 5 Jan 1976 [Meas Muth describes the fighting in Koh Ses and Koh Tral, and reports that the rice supply at Koh Rong is enough for six months but "these old rice grains are spoiled, discharging moldy stink", copying Brother 87 (Vorn Vet)]; **D1.3.27.10** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions, Secretaries and Deputy Secretaries of Regiments*, 2 Aug

- 1976, EN 00183959-60 [attendees report incidents of people who are unhappy, hopeless, tired and sick, have no time to rest, complain about lack of food, desert, and Brother 89 (Son Sen) discusses sorting out food supplies]; **D4.1.522** Sou Souen WRI, EN 00360113, KH 00348830 [Ke Pauk's wife: "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"]].
- 1123 **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195341, KH 00052391.
- 1124 **D4.1.739** Presentation by the Comrade Party Secretary during the session of the first meeting of the Council of Ministers, 22 Apr 1976, EN 00143465, KH 00072757 ["we supplied 3,000 tons of rice as aid to the Soviets as well while in the condition of having just come out of a destructive war"]; **D4.1.588** French Ministry of Foreign Affairs Memo, *Cambodian Review*, 11 May 1976, EN 00610832, KH 00522402 [reporting a 3,000 ton rice donation to Laos in December 1975]; **D4.1.887** *Revolutionary Flag*, Nov 1976, EN 00455284-85, KH 00064966 ["We must export hundreds of thousands of tons of rice during 1976. Our being able to export rice like this after a war casts a tremendous influence in the international world"]; **D4.1.903** Nuon Chea's Speech at Army Anniversary Meeting, 16 Jan 1977, EN S 00004076, KH 00649947 ["our people have enough to eat. [...] we have a surplus of more than 150,000 tons of rice for export. This means that we have completely fulfilled the 1976 plan"]; **D4.1.38** CPK document, *Preliminary Explanation Before Reading the Plan*, 21 Aug 1976, as published in David Chandler et al., *Pol Pot Plans the Future*, EN 00104071 ["we must export large quantities of rice. In 1977 we plan to export between 800,000 and one million tons of padi"]; **D4.1.986** FBIS, *Khieu Samphan's Speech at Anniversary Meeting*, 15 Apr 1977, EN 00419513, KH 00292805 ["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"]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678692, KH 00637933 ["in 1978 Democratic Kampuchea officials claimed to have exported 100,000 tons of rice the previous year to rice-deficit countries such as Yugoslavia, Madagascar, and Hong Kong"]; **D234/2.1.33** *Phnom Penh Rally Marks 17th April Anniversary*, 16 Apr 1978, EN S 00010560 [Khieu Samphan told 20,000 workers and military forces that "We [...] succeeded in achieving our food production plan and [...] exported more grain than in previous years. This has provided us more potentials for national construction, and is the result of our farming effort"]].
- 1125 **D69.1.42** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea*, EN 00498287, KH 00380472.
- 1126 **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491435, KH 00063054 ["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"]].
- 1127 **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486262-63, KH 00063183-84 ["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"]; **D4.1.189** Ieng Sary Statement to the UN General Assembly, 11 Oct 1977, EN 00079815, paras 60 and 63, KH 00291027-28 ["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"]; **D4.1.1013** Pol Pot Statement at Meeting of CPK Central Committee Discussion with the Belgium-Cambodian Association Delegation, 5 Aug 1978, EN 00574566, KH 00106284 ["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"]].
- 1128 **D69.1.42** Khieu Samphan, *Considerations on the History of Cambodia from the Early Stage to the Period of Democratic Kampuchea*, EN 00498284, KH 00380467 [Pol Pot wanted the DK population to rise, "But how was this goal to be accomplished if the women's menstrual periods stopped due to hunger? The leadership saw this problem"]; **D11/54/3.1** Kul Nem, T. 24 Oct 2016, 14.35.12-14.36.17 ["Such incident of having no children did not happen to only me, but also to other people. [...] we experienced miscarriages, one after another. Perhaps we were too exhausted as a result of hard work"]; **D11/255/3.1** Hun Sethany, T. 27 May 2015, 14.40.06-14.43.20 ["Most female workers in my village had no menstrual cycle because they did not

have enough food to eat”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over: Cambodia and the Khmer Rouge Revolution*, EN 00237929, KH 00232298 [“Many women stopped menstruating entirely, partly because of malnutrition, partly because of the trauma”].

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See **VIII.H. Forced Marriage and Rape** section.

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See their S-21 confessions: **D4.1.22**, **D4.1.651** S-21 Confession of Chan Chakrey alias Nov Mean, 1 Jun 1976, EN 00183019-85 (Excerpts), KH 00030985-2842 [arrested on 19 May 1976]; **D4.1.943** S-21 Confession of Suos Neou alias Chhouk alias Men alias VIII [arrested on 31 August 1976]; **D10.1.120** S-21 Confession of Men San alias Ney Saran alias Achar Sieng alias Ya, KH 00009497-682, FR 00282377-90 (Excerpts) [arrested on 20 September 1976]; The confession of Keo Meas, Secretary of the Worker's Party of Kampuchea Centre, is not on Case File 003 [KH 00226710-28, EN 00284013, 00983407-24, FR 00294499].

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D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940344, KH 00052407, FR 00334976 [Son Sen (Bang 89), after explaining that Chakrei, Ya, Chhouk and Keo Meas were traitors to Vietnam and had been smashed, said: “the important thing is precisely that our army be clean and pure [...] Concretely operationalizing revolutionary vigilance means having a firm grip on our units of organization, ensuring that the enemy is unable to bore from within, and doing whatever needs to be done to make our army clean”], EN 00940345, KH 00052408, FR 00334977 [“It is imperative to educate the brothers and sisters so that they understand the state of contradictions arising from the enemies boring from within and from the enemies' tricks, and to do so in such a way that this permeates all the way to the bottom. 3. It is imperative to purge absolutely no-good elements, but not to be left or right politically”]. See also **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183966, KH 000552381 [Son Sen: “Divisions are to examine and keep track of no-good elements. Organize for them to be administered separately”], EN 00183968, KH 00052382 [Son Sen: “It is imperative to conduct further purges of no-good elements. It is imperative to be absolute, but not leftist; are they supporters or not, and if they are not supporters is it because of not understanding or are they not supporters because they are opponents in league with the enemy?”]; on Chan Chakrei's alleged treason, See also: **D1.3.27.17** Minutes of Meeting with Divisions 170 and 290, 16 Sep 1976 [meeting attended by Son Sen, Duch, Division 170 Secretary Sokh, and Division 290 Secretary Tal that agreed upon the arrests of 29 cadres from Division 170 and “Chakrey's wife and niece”]; **D98/1.2.21** Kaing Guek Eav alias Duch, T. 29 Mar 2012, 09.06.02-09.11.58 [discussing meeting attended by Son Sen, Division Secretary Sokh and Duch: “The meeting was convened to discuss the people in Division 170 who were associates of Chan Chakrey [...] people in Division 170 were arrested”].

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D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940340, KH 00052404, FR 00334974 [Dim / Doem, first reported two security incidents involving Division 164 combatants and four other arrests], EN 00940346, KH 00052408, FR 00334977 [Following Son Sen's advice, he concluded, “I would like to be in unity with Angkar's presentation about the enemies' internal and external situations [...] From an examination of my forces, some 90 to 95 per cent of them are reliable, those who are loyal to the Party. But if you want unsullied faith that the army is clean, it seems not yet to be clean, and it is imperative to follow up with more purges”]; EN 00940350, KH 00052411 [right before Meas Mut spoke, Sou Met underlined that “it is imperative to dare absolutely to conduct purges”].

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D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940350-51, KH 00052411, FR 00334980 [“Comrade Mut: I would like to speak about the concern shown with the activities of the traitors within the Party, that this has been a great victory for our Party. This lesson has strengthened, to a further degree, the standpoint of revolutionary vigilance. We have been indoctrinated with the Party's standpoint that a correct standpoint analyses these enemies as being American imperialists and revisionists with plans to attack our Revolution. As for the problem of the grasp on the unit of organization, cadre and combatants, it is not yet firm. No-good elements or enemies are still camouflaged and infiltrated in the rank and file. The most important factor is the grasp of the everyday ideology of the core organizations. It is imperative to make arrangements to take measures so as to seize the initiative in advance. On this I would like to be in total agreement and unity with the Party. Do whatever needs to be done in not allowing the situation to get out of hand and not to let them strengthen or expand themselves at all”]. See also **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933835, KH 00052305 [“Comrade Maut: [...] a number of the cadres and combatants guarding the depots used to be with the traitors as their bodyguards for long. One platoon of depot units of organization has been purged, but they are not yet all gone or reliable”] Son Sen responded to Meas Muth at EN 00933844, KH 00052311 [“4. As for depots, it is imperative to be vigilant against those mixed up with traitorous elements, and they must be removed. Purge the insiders make them clean”]; Even though Meas Muth did not attend the 2 August 1976 meeting, it is relevant to note what Son Sen mentioned as

- regards to the policy towards enemies as his views were disseminated to and agreed upon by Division and regiment commanders, and the minutes were undoubtedly communicated to Meas Muth: **D1.3.27.10** DK Military Meeting Minutes, 2 Aug 1976, EN 00656578, KH 00052360 [“1. Must grasp firmly the country defence task which is our core task [...] 2. In carrying out the duty of defending the country, it is imperative to think in terms of fending off enemies both external and internal, but it is especially important to pay attention to purging no-good elements completely from the Party, the Core Organizations and our male and female combatants within the Revolutionary Army”].
- 1134 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940355, KH 00052414, FR 00334983.
- 1135 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933844, KH 00052310, FR 00323929 [“III. A Number of Miscellaneous Matters 1. In purging the army it is imperative to remove absolutely enemy elements. The liberals are to be rounded up and sent to do production as a single unit of organization. Those who owe things [to the enemy] must be re-educated and concentrated in one place” (*emphasis added*)].
- 1136 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933841, KH 00052308-09, FR 00323927 [Son Sen: “each and every one of the traitorous forces in our country is connected to the enemies on the outside. Revolutionary vigilance means constant absolute storming attacks on the enemies boring from within [...] if enemies boring from within exist, they will impede us constantly [...] Our measures: - It is imperative to continue with further political and ideological education, but mere education is not enough: It is imperative to continue further with absolute purges”], EN 00933843, KH 00052310, FR 00323928 [“The imperative measure vis-à-vis the troops is to purge absolutely the no-good elements [...] In the past, we have eliminated a lot of important traitorous links, but it is imperative to continue with further revolutionary vigilance because remnants still remain, and new traitors will continue to be born”].
- 1137 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933844, KH 00052310, FR 00323928 [“For What Reason Are We Continuously Eliminating One Enemy After Another? – It’s because we are constantly launching storming attacks on the enemy. The enemies who were infiltrated into the revolutionary ranks before the Party’s First Congress nevertheless did not dare to conduct powerful activities for fear of blowing cover. They were compelled by necessity to accommodate to us against their will because of the strength of our movement of storming attacks. Then after the nation-wide victory, we again launched constant storming attacks against the enemy”].
- 1138 **D114/159** Kaing Guek Eav alias Duch WRI, A31 [“Purging was common under the Communist Party of Kampuchea. Purging was an important duty, which Pol Pot called ‘revolutionary absolutism to build democratic socialism’. He wrote this phrase in the first paragraph of the document about decisions of the Centre, dated 30 March 1976”].
- 1139 **D1.3.19.1** CPK Decision of the Central Committee Regarding a Number of Matters, 30 Mar 1976, EN 00182809, KH 00003136, FR 00224363 [“1. The right to smash, inside and outside the ranks. Objective: 1. That there is a framework in absolute implementation of our revolution, 2. To strengthen our socialist democracy. All this to strengthen our state authority. - 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”].
- 1140 **D12** Kaing Guek Eav alias Duch WRI, EN 00680797-98 [“After [Son Sen or Brother 89, Men San alias Ya and Seat Chhe alias Tum or Brother 81] these people, there were other members including Meas Muth, responsible for navy, Sou Met, responsible for air force [...] Meas Muth and Sou Met were the member[s] of the General Staff responsible for navy and air force [...] General Staff membership lasted for one full regime”]; **D32/10** Khieu Saran WRI, A15 [“Q: Who were members of the general staff committee? A15: All division commanders and commanders of autonomous regiments and battalions such as Mao were members of the committee”]; **D54/110** Lon Seng WRI, A8-10 [“As a division commander that person was a member in the committee of the army general staff. When the army general staff needed to make a work plan, the general staff usually discussed to collect comments from division commanders. Q: From what you have just said, did it mean that Meas Mut had a role in the general staff? A9: Yes. This was not only for Division 164 but for any division belong to the central level. Commanders of those divisions were members of the general staff head quarter. When a division became a division of the central level, the commander of such division would become a member of the general staff committee. Q: Do you know from when to when did Meas Mut become a member of the general staff committee? A10: As from what I know, Bang Mut became a member of the general staff from the time of Phnom Penh liberation in April 1975. He continued to serve in this position until the fall of Khmer Rouge regime”].

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D1.3.27.20 DK Military Meeting Minutes, 9 Oct 1976, EN 00940354-55, KH 00052414, FR 00334983 [“It is imperative to purge no-good elements absolutely in the sense of an absolute class struggle. The purge is premised on three principles: Category 1: The dangerous category: they must be absolutely purged”], EN 00940338-40, 46-52, KH 00052403-05, 08-12, FR 00334973-74, 77-81 [In reports by division secretaries and deputy-secretaries, purging enemies is commonly described. Secretaries and Deputy secretaries describe their success in purging so far and also describe the need to purge their individual divisions and all divisions of the RAK further. For example, Sou Met said, “It is imperative to dare absolutely to conduct purges”]; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933839, KH 00052306, FR 00323925 [After listening to reports about the internal enemies, Son Sen urged division commanders to continue the RAK purge: “These incidents prove that the CIA, Yuon and revisionist enemies are powerfully continuing their activities to wreck our revolution, with the intention of overthrowing our revolution, our Party and our army [...] CIA [...] are in particular boring from within inside our Party and Army. Now, however, we have attacked and basically eliminated them [...] After we eliminated the Chhouk and Ya treasonous networks, we discovered another treasonous network, which we have basically eliminated”], EN 00933841-44, KH 00052306, 08-11, FR 00323927-29 [“Revolutionary vigilance means constant absolute storming attacks on the enemies boring from within. In the absence of constant storming attacks on these enemies, don't talk about building up the country, because if enemies boring from within exist, they will impede us constantly [...] It is imperative to continue further with absolute purges [...] In the past, we have eliminated a lot of important traitorous links, but it is imperative to continue with further revolutionary vigilance because remnants still remain, and new traitors will continue to be born [...] For What Reason Are We Continuously Eliminating One Enemy After Another? [...] In purging the army it is imperative to remove absolutely enemy elements [...] As for depots, it is imperative to be vigilant against those mixed up with traitorous elements, and they must be removed. Purge the insiders make them clean”]; As usual, the division commanders orally reported during the same meeting about the activities and measures taken about the identified internal enemies: EN 00933834-36, KH 00052304-06, FR 00323922-24 [Sou Met explained that, “It is obvious that a number of elements whom we had previously arrested really are enemy elements. More than 50 no-goods have been sent to S-21. There can only be reliability if five more company secretaries are removed”]; Meas Mut reported on his division's efforts to purge no-good elements, saying, “A number of the cadres and combatants guarding the depots used to be with the traitors as their bodyguards for long. -One platoon of depot units of organization has been purged, but they're not yet all gone or reliable; Comrade Yan stated that “maybe 600 persons are elements who must be removed”], EN 00933837-38, KH 00052307, FR 00323924 [Comrade Tal explained that “a number of no-good elements have been removed and are concentrated at a regiment”]; **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183968, KH 00052382, FR 00386199 [Son Sen stated, “It is imperative to conduct purges of no good elements” and urges that division commanders be absolute]; **D1.3.27.23** DK Military Meeting Minutes, 15 Dec 1976, EN 00233718, KH 00095514, FR 00386208 [Son Sen said the division leaders must “closely grasp the problems of screening and purifying our Army. There have been a few occurrences which we must pay attention to and monitor [...] Do not have the view that this is normal. The way to find them, we must monitor and meet and examine each occurrence [...] we must pay attention to the remaining internal enemies”]. See also **D1.3.27.10** DK Military Meeting Minutes, 2 Aug 1976, EN 00656578, KH 00052360 [“2. In carrying out the duty of defending the country, it is imperative to think in terms of fending off enemies both external and internal, but it is especially important to pay attention to purging no-good elements completely from the Party, the Core Organizations and our male and female combatants within the Revolutionary Army”]; **D1.3.27.12** DK Military Meeting Minutes, 18 Aug 1976, EN 00234458-59, KH 00052378-79, FR 00386194-95 [Son Sen: “Within internal military rank, some cadres and combatants have not been satisfied, igniting disputes, encouraging desertions, sidetracking guidelines and verbally opposing guidelines [of the party]. This is due in one part to our deeper and deeper revolutionary movement, and in another part to the enemy assignment networks. Our measures: [...] 3. [...] no-good elements must be definitely screened [purged]”]; **D1.3.27.18** DK Military Meeting Minutes, 19 Sep 1976, EN 00183979 [Son Sen: “1. View [...] c) Their main networks had already been smashed [killed] all. Must take a view that the number of enemies never end. They still continue to fight us. As such, must not be optimistic about non-revolutionary (view) [...] 2. Assignment Measures [...] c) Must have an absolute standpoint. Select carefully the elements against the revolution. Don't be reluctant”].

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Through the publication *Revolutionary Flag*, the CPK similarly encouraged the purges of internal enemies from the Revolutionary Army of Kampuchea. See, e.g., **D1.3.24.2** *Revolutionary Flag*, Jul 1976, EN 00268923 KH 00062917, FR 00349977 [“It is imperative to strengthen and to purge [screen] cadres and Party

members within the worker-peasant mass movement and the Revolutionary Army so that the Party will become stronger”]; **D4.1.888** *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491435 KH 00063055, FR 00504064 [“It is imperative to concentrate on and strengthen and expand the issue of organization and purge our Army to make it clean and pure following the Party's line. A strong Army is a clean Army. As long as it is clean, even if the numbers are few it will still be strong”]; **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478501, KH 00062992, FR 00499759 [“These forces are: a. The currently existing forces are the Party, the core organizations, the Army, the unions, the cooperatives, and so on. It is imperative to purge, to clean up, and to sweep clean the no-good elements and the enemy elements”]; **D4.1.653**, *Revolutionary Flag*, Jun 1977, EN 00445857-58 [“the fight against the embedded enemies is not yet finished. Old remnants of the embedded enemies still remain, and they are even strengthening and expanding [...] educate the masses [...] inside the Revolutionary Army and among the people, and have them clearly see how the internal embedded enemies carry out their activities; have them absorb this so they will become an enemy-seeking and enemy-attacking force”]; **D4.1.865** *Revolutionary Flag*, Oct-Nov 1977, EN 00182549, KH 00064758, FR 00665400 [“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”]; **D1.3.24.4** *Revolutionary Flag*, Dec 1977 - Jan 1978, EN 00184301, KH 00064516-17, FR 00809241-42 [“Enemies did try to come and smash our worker-peasant state power, but we successively attacked and overthrew and liquidated them, such that they were basically overthrown and liquidated. This refers to enemies both within and without, but especially to the enemies within [...] We have also been able to defend the army. No the army of the Party has not suffered any losses, but rather has only been further strengthened and cleaned up. We eliminated the enemies who were boring from within the army and the dangerous elements in the army, thereby raising the quality of the army and making it better and than before [...] We seized great and systematic victories in 1977 by being able systematically to purge and sweep enemies cleanly away and basically to dig out their main roots. We put forward this plan at the end of 1976, and in early 1977 we had already been able to eliminate a portion of the enemies leading machinery”]; **D4.1.867** *Revolutionary Flag*, Mar 1978, EN 00504091, KH 00064482, FR 00491866 [“We must continue to purge the embedded enemy elements boring holes from within”]; **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519842, KH 00064724-25, FR 00520355-56 [Pol Pot: “I want to inform you that in 1975 our Army was not very clean. We did in fact fight and win against the Americans, but it was still very messy. So then, a number were purged; it seemed like we were out of troops. In 1976, we purged well to a certain extent, but it was still messy. In 1977, we purged again and it was still somewhat messy [...] Enemies from near and far come to make propaganda and deceive and defraud us and frighten us, to make us fear the enemy. They must be eradicated. Do not let those germs bore inside among our people, our Party, our Army. We make our Army clean, our Party clean, our people clean, so that they can fight the enemy and defend Kampuchean territory”].

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D114/65 Chet Bunna WRI, A9 [“He had the power to arrest and kill soldiers and civilians in the areas under his control. For example, if he noticed that any cattle or cows were skinny because they had not been taken care well, he would order the arrest of the persons in charge of taking care of those cows”]; **D54/98** Heang Ret (Hieng Reth) WRI, A121-122, 124-125 [“Q: When Meas Muth told Ta Nhan, ‘Before you kill people, you have to get permission from your superior.’ What did he refer to by ‘superior’? A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander. Therefore, in this sense, it meant that Ta Nhan needed permission from Meas Muth [...] A122: I remember that in that meeting Ta Nhan reported to Meas Muth that he had killed people [...] A124: As far as I can remember, it took place in July 1975 [...] A125: It was organised in the cinema in Kampong Som”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974135 [“After listening to the report, Bang Meas Muth asked Ta Nhan about the killing of people. He asked, ‘Who told you to kill those people? Who permitted you to investigate people at their houses? You deserve to be the same way by the people. Actually, the people should have poured hot water on your head. You did not have the right to monitor them. Before you killed people, did you get permission from your superior?’”]. See also **D54/46** Em Sun WRI, A43 [“It looked like Ta Mok ranked higher than Meas Mut, but Meas Mut actually had more power. For example, if Ta Mok imprisoned someone, Meas Mut could release that person. However, if Meas Mut imprisoned someone, Ta Mok could not release that person”]; **D54/47** Em Sun WRI, A2 [“What I have told you about Meas Mut's power to arrest and release people is the general information that everyone was aware of”].

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D54/98 Heang Ret WRI, A130 [“at each level, the decision had to be made by the committee at that level. Meas Muth was the commander of the division, which was the last level in decision-making; and that decision had to be made by Meas Muth, his deputy, and the members in the Division Committee. I would like

- to clarify more that such a decision could be made only for a regular combatant. In case of a proposal to kill any battalion commander, the Division Committee had to send a request to the Military Staff, who had the right to make the final decision”].
- 1145 **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183967, KH 00052381, FR 00386197-98 [Centre Division cadres Veuang, Met, Pin and Reuan discussed cases of desertion]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940338-39, KH 00052403-04 [Cases of desertion are discussed by Suong, San]; **D1.3.27.22** DK Military Meeting Minutes, 21 Nov 1976, EN 00656381, KH 00088926, FR 00322986 [“Division 170 – Comrade Sok [...] E. Enemy situation: [...] Within the unit they were people often defecting”]; **D1.3.27.12** DK Military Meeting Minutes, 18 Aug 1976, EN 00234458-59, KH 00052378-79, FR 00386194-95 [Son Sen: “Within internal military rank, some cadres and combatants have [...] been [...] encouraging desertions”].
- 1146 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410 [“Comrade Oeun: [...] There is the phenomenon of those who are concealing their biographies, all the way up to the company cadre level, those who originally were White Khmer or who have lived with the Vietnamese”].
- 1147 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940338, KH 00052403 [Comrade Suong: “Those cadres whose parents had been swept out by us have manifested an authoritarian attitude in relation to the masses”]; **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933834, KH 00052305 [“Comrade Chhin: [...] There are still enemies within the unit or organization. We have to follow this up and have been able to grasp a number of them. – After the studies, those who came from Vietnam, the children of soldiers, sub-district chiefs and police were purged and sent to do production in one place”]; **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183968, KH 00052382 [Son Sen: “The enemy would like to take the opportunity to gather up no-good elements [...] those whose families we have swept out”]; **D1.3.27.23** DK Military Meeting Minutes, 15 Dec 1976, EN 00233712-18, KH 00095509-14, FR 00386203, 08 [Comrade Sok describing problems arising due to people whose siblings were “taken by Angkar for unknown reasons” and Son Sen advising those present at the meeting to “be most careful about those who[se] mothers and fathers were purged or whose siblings were purged”].
- 1148 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940342-43, KH 00052405-06 [Son Sen explains how Chakrei, “a Khmer Serei link” and his boss Chhouk, the Secretary of Sector 24 were arrested for contacts with Vietnam “to make arrangements to attack our Party’s leading apparatus. They would attack from the inside while Vietnam would attack from the outside [...] Chhouk’s responses ultimately implicated Ya. We arrested Ya [...] The enemy to the East: The key plan of the enemy of the East, the Vietnamese with the Soviets behind them, was to attack from the inside through the traitorous forces of Ya, Keo Meas, Chhouk and Chakrei”]. EN 00940353, KH 00052413 [“The enemy will continue to conduct minor activities in the sea and along the border. As for the trivial enemies within, it is imperative to pay attention to them and to prevent them from conducting activities, so as to defend the Party and the fruits of the Revolution”], EN 00940354, KH 00052413 [“In our status as an army, we must know the subjects that we must attack, namely American imperialism, and the Vietnam revisionists and their traitorous henchmen”].
- 1149 **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183968, KH 00052382 [Son Sen: “The enemy would like to take the opportunity to gather up no-good elements [...] the status-and rank-conscious”]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940352, KH 00052412, [Son Sen: “These experiences have further heightened our concerns about those elements with no-good biographies, whose ideology is highly status- and rank-oriented”], EN 00940347-48, KH 00052409 [“Comrade Pin [...] The reason for the treason is these men’s contradictions about status and rank [...] Some remain: diehards, those who rob and steal, and those making contradictions about status and rank, of whom 80 have been concentrated in one place”].
- 1150 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933835, KH 00052305 [“Comrade Pheap [speaking of enemies]: [...] Inside the unit or organization, one platoon cadre named Heng persuaded combatants to drink alcohol. One company cadre named Chamroeun contradicted the prohibition that doesn’t allow the free picking of fruit to eat”]; **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183969, KH 00052382 [Son Sen: It is imperative to be concerned about the problem of thefts, which are activities of opposition to us. Some are defecating in pathways and knocking on doors at night, propagandizing with white banners, stirring up contradictions and deflecting the line”]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410 [“Comrade Oeun: [...] In total, we have got 36 no-goods. Their action was to incite the brothers and sisters to drink insecticide, and a whole platoon was poisoned”].

- 1151 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410 [“Comrade Pheap: [...] In the units of organisation there are inferior persons: those who believe in the enemy’s tricks, those who are lazy, those who pretend to be ill and those who are discontented with the regime”]; **D1.3.27.12** DK Military Meeting Minutes, 18 Aug 1976, EN 00234458-59, KH 00052378-79, FR 00386194-95 [Son Sen: “Within internal military rank, some cadres and combatants have not been satisfied, igniting disputes, encouraging desertions, sidetracking guidelines and verbally opposing guidelines [of the party]. This is due in one part to our deeper and deeper revolutionary movement, and in another part to the enemy assignment networks. Our measures: [...] 3. [...] no-good elements must be definitely screened [purged]”].
- 1152 **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183968, KH 00052382 [Son Sen: “The enemy would like to take the opportunity to gather up no-good elements [...] those whom we have removed from their positions”].
- 1153 **D1.3.27.13** DK Military Meeting Minutes, 30 Aug 1976, EN 00183968, KH 00052382 [Son Sen: “The enemy would like to take the opportunity to gather up no-good elements [...] those who have not internalized the revolutionary movement and can’t keep up with the rest”].
- 1154 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940353, KH 00052413, FR 00334981 [“Those present at the meeting are in unity with the Party in considering that the arrest of these traitors [Chakrei, Ya, Chhouk and Keo Meas] is a great victory over the revisionists [...] Another lesson results in our realizing that trivial activities attacking the Revolution, such as stealing and speaking in hints that attack the Revolution, are all issues that stem from such traitorous links”].
- 1155 **D114/159** Kaing Guek Eav alias Duch WRI, A30 [“The military that Meas Muth purged was only his Division 164. However, I believe that purges at the port, at the villages around the port, and around Kampong Som City also occurred, though I received no documentation relating to this”]; **D114/25** Ou Dav alias Soeun WRI, A13-14 [“At that time, in the meetings, *Angkar* or the Party proclaimed they planned to screen the army. *Angkar* planned to smash the capitalists and former Lon Nol soldiers [...] A14: [...] the presenter during the meetings was Meas Mut”]; **D54/98** Heang Ret WRI, A57 [“Purging the enemy was internal screening meaning that those who found to have affiliations with foreign politics or serving foreign interests were purged in order to make the Party internally clean. The word “purge” meant removed or killed”]; **D114/284** Ek Ny WRI, A8-9: [“That purging from the inside made me unable to sleep. I always feel very frightened about the purging from the inside; the purging of the networks. Just in Division 164, [many people were killed]. Six hundred people were on the list. There were also many other people whose names were not listed. It was so cruel. Q: A moment ago you said that because of that policy, you and your friends were frightened. Is that correct? A9: Yes, it is”]. See also **D64.1.29** FBIS, *Army Units Defend Islands, Waters Against Encroachment*, 29 Aug 1977, EN 00168298 [“Under the clear-sighted guidance of our Revolutionary Organization, the Cambodian Revolutionary Army forces assigned to defend our territorial sea and islands now better understand the nature of evil designs of the U.S. imperialists, their lackeys, the expansionist enemies and all traitors, the running dogs of the imperialists” (*emphasis added*)]; **D54/105** Ek Ny WRI, A6 [“For example, in this document [**D1.3.27.20**, DK Military Meeting Minutes, 9 Oct 1976] Meas Muth said that we had to constantly keep track of enemies hiding in our ranks. His words made me recall what he said in the meeting with us which he almost made us frightened to death. At present, when someone does something wrong, that person is just sent to Prey Sar, but during Khmer Rouge era, if we did something wrong, we would be arrested; it means death [...] A9: I was disappointed and unhappy when I heard Meas Muth’s radio interview from his house near the border. Meas Muth said that there were people who died because they were killed by lightning during Democratic Kampuchea era but not because of purges or execution Meas Muth is a hypocrite because he does not accept his mistakes”].
- 1156 **D1.3.34.60** Telegram 00 from Meas Muth to Committee 870, 31 Dec 1977, EN 00184995, KH 00001325.
- 1157 If the policy was not implemented, the cadre who was responsible for implementing it would be taken for re-education and disappeared: **D54/87** Prum Sarat WRI, A115-116, 118-120 [“Q: Did the *Angkar* policy mention suppressing enemies or sweeping enemies clean? A115: That is the policy I mentioned above: the first enemy was the Yuon and the second enemy was the internal enemy. Q: You attended meetings where instruction on major policies was provided, one of which was about purging enemies and the Yuon enemy. What happened if a particular cadre failed to implement such instructions? A116: After the meetings to instruct the implementation of major policy and reading those documents, each cadre tried their best to do it from their way of thinking and to the best of our abilities [...] A118: when a cadre committed a mistake, their unit would send them to another place. After they were sent away, the original unit would not know what happened to them. Q: Usually, when the unit sent those people for re-education or tempering, did they ever

- return to their original unit? A119: No one ever returned -- they disappeared. Q: What do you mean by disappeared? A120: When I noticed that someone had disappeared from their unit, I asked members of their group, and they told me that *Angkar* took them to the reeducation place, and I did not see them return”].
- 1158 See, e.g., **D114/31** Moul Chhin WRI, A89-90, 92-93, 100 [“Later the troops were demobilised and our unit [Battalion 387 from Sector 37] was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals. Q: Why did they demobilise your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead [...] A92: In fact, the division, thousands of troops, was demobilised. The demobilised troops were assigned to work in different production units and were sent to different work spearheads [...] A93: The order clearly was issued by Ta Muth. Ta Muth's men gathered us for a meeting and told us we would be sent to different worksites [...] Q: In which month or year did they accuse your group of being enemies? A100: At the end of 1977, and the entire former division was completely demobilised” (*emphasis added*)].
- 1159 **D54/100** Lay Boonhak (Bunhak) WRI, A134-135 [“Soldiers who had no-good biographies were sent back to their units in to farm rice and build dams [...] Soldiers who had no-good biographies were sent to farm rice close to Kang Keng Airport”]; **D114/139** Nguon Lay alias Y WRI, A20, 25, 29, 49 [Nhan’s bodyguard in Regiment 63 was disarmed as his biography was not clean enough; however, as he had worked well before, he was not seriously punished and was just disarmed and removed as a bodyguard, contrary to others]; **D114/16** Sok Vanna WRI, A21, 33 [“When I worked on the island, I saw them call those who worked with me away many times charging them with having connections with no-good elements and saying those soldiers were to be sent to work at Kang Keng like the ordinary people [...] A33: It may have been because those soldiers did not work well or did not follow orders, so they accused them of having connections with no-good elements. Sometimes the soldiers’ families had problems or were involved in activities in their home villages, so the soldiers themselves were also accused of having connections with no-good elements”]; **D54/26** Pak Sok WRI, A14 [“Around the middle of 1976, I was considered to a suspicious no-good element and was removed from Koh Poulo Wai Island and put to work at a paddy field near the durian, coconut, and oranges plantations for two months [...] At the time twelve military personnel regarded as suspicious elements were staying with me. The diet was one small ladle per meal. In order to survive, I had to pick ripe coconuts to eat in addition”]; **D54/77** Uy Nik (Uy Nhoek) WRI, A31 [“Q: After you were included in the 'no-good elements' group, how did they treat you? A31: After they transferred me out, my living conditions were much harsher than they were when I was a soldier. In the military, I had enough food to eat, and my work was not so harsh; however, after I was sent to join a production unit at Stueng Hav, I did not have enough food to eat, and the work was much harsher than before”]; **D54/35** Brak Sokha WRI, A17 [“I was transferred there in 1976. In 1977, but I do not remember the exact date, my mobile unit was sent from Preaek Chak to the Kang Keng area, where we were ordered to work in Praboh and Pu Thoeung Villages north of National Road No.4 and opposite Bet Trang Village. There, we were ordered to cultivate rice and raise dams until the end of 1977. At that point in time, they told us we would be sent on to Stueng Hav, not to Tuek Sab, because we had committed only minor offenses. During early 1978, I was sent to Stueng Hav. There, I was ordered to dig a circular pit 30 metres in diameter and to a depth of 10 metres at the foot of a hill, below the house for Chinese guests. The Chinese examined the pond every week. I was also ordered to break stones in Stueng Hav until the Vietnamese arrived”].
- 1160 See evidence of Division 164 imprisoned and executed, including 67 in S-21 (**VIII.D.4. Meas Muth’s Responsibility for Prisoners Sent to S-21**), hundreds in Wat Enta Nhien (**VIII.C.3. Wat Enta Nhien Security Centre – Crimes - Imprisonment – a) Division 164 Cadres and Demobilised Soldiers**), Toek Sap (**VIII.C.4. Toek Sap Security Centre – Crimes – Imprisonment and Unlawful Confinement - a) Division 164 Cadres and Demobilised Soldiers**) and others in smaller detention places such as Stung Hav prison (**VIII.E. Stung Hav Worksites – 3. Crimes**); For establishing that soldiers purged in other divisions were commonly executed, including in S-21, and Meas Muth was fully informed of it. See also **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933834, KH 00052304-05 [“Comrade Met [...] It is obvious that a number of elements whom we had previously arrested really are enemy elements. More than 50 no-goods have been sent to S-21. There can only be reliability if five more company secretaries are removed”]; **D54/98** Heang Ret (Hieng Reth) WRI, A57 [“Purging the enemy was internal screening meaning that those who found to have affiliations with foreign politics or serving foreign interests were purged in order to make the Party internally clean. The word ‘purge’ meant removed or killed”].
- 1161 **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933835, KH 00052305 [“Comrade Maut: [...] a number of the cadres and combatants guarding the depots used to be with the traitors as their bodyguards for

long. One platoon of depot units of organization has been purged, but they are not yet all gone or reliable”]; **D1.3.34.11** Telegram 11 from Dim (Division 164) to Meas Muth, 24 Sep 1976, EN 00233660, KH 00000863, FR 00654897 [“The state of things on the land in Riem and Baboh subdistricts after we took the measure against the enemy that you decided is that five of them fled into the forest, were pursued and arrested by us”]; EN 00143522, KH 00000863, FR 00654897 [“Another two (combatants) had deserted a Unit in Sang Hav. They will be transferred from Unit 63”]; **D1.3.12.7** DK Government Report, *A Summary of Situations from 15 July to 31 August 1976*, 31 Aug 1976, EN 00233963, KH 00021503 [“Division 164 [...] July 29, 1976. Four workers cut off barbwire fence and enter the arsenal. We arrest them and send to the police”]; **D1.3.8.4** DK Military Meeting Minutes (Division 164 cadres and Son Sen), 9 Sep 1976, EN 00657355, KH 00162489 [About 40 defectors led by Vong Sruol in Stung Hav: “Recently, the Division commander separated the bad people and sent them to stay at the different places so that they were not mixed with the good people [...] [in Kang Keng] Mostly the civilians are good, but there are bad movements in the military. Recently one soldier lieutenant (of the former regime) was discovered and arrested”], to which Son Sen responded at EN 00657356, KH 00162490: [“3. Internal situation: Concerning Vong Sruol, arrest him and interrogate him. Regarding to the idea of separating and sending the defectors into the different units, it seems like we will not gain anything from that because if the enemy still exists, they are still able to make more activities. Must grasp their biography clearly and round them up and put them to work in the food production in one place. - The soldier elements must be rounded up”]. See also **D54/100** Lay Boonhak (Bunhak) WRI, A107-110 [describes the arrest process and that cadres’ arrests were decided at the division level and serious offenders were brought from the islands to the mainland by soldiers from the division headquarters].

1162 **D22.2.4** Division 164 Committee Statistics Report, *Division 164 Daily List of Forces*, 30 Jul 1976, EN 00950655, KH 00160118 [Under the title “Disappeared from the units”, 186 are mentioned to have been “withdrawn”, including 153 from Regiment 140, 8 from Regiment 61, 8 from Regiment 62 and 11 from Regiment 63]; **D22.2.5** Division 164 Committee Statistics Report, *Division 164 Daily List of Forces*, 28 Aug 1976, EN 00950657, KH 00160123 [Under the title “Disappeared from the units”, 32 Division 164 were “withdrawn”: 13 from Regiment 61, 14 from Regiment 62, 4 from Battalion 166 and 1 from Battalion 168]; **D1.3.5.3** Meas Muth Statistics Report, *Division 164 Daily List of Forces*, 27 Oct 1976, EN 00233989, KH 00160147 [Under the title “Disappeared from Unit”, 5 are reported to have died in combat, 3 deserted and 29 were “taken”, including 3 from Regiment 61, 13 from Regiment 62, 4 from Regiment 63, 5 from Regiment 140, and 7 from Battalion 169]; Another English translation of the very same document mentions that those 20 soldiers were “removed”: **D54/24.2** Meas Muth Statistics Report, *Division 164 Daily List of Forces*, 27 Oct 1976, EN 01145323, KH 00955521; **D22.2.6** Meas Muth Statistics Report, *Division 164 Daily List of Forces*, 27 Nov 1976, EN 00575531, KH 00160071 [Under the title “Absent from the unit”, 2 soldiers are reported to be deceased and 85 soldiers to have been “retire[d]”, including 15 from Regiment 61, 21 from Regiment 62, 10 from Regiment 10, 5 from Regiment 140, 5 from Battalion 167 and 29 from Battalion 168].

1163 **D54/7** Dol Song WRI, A16-17 [“as a commander of a marine division, Meas Mut was [...] responsible for screening the biographies of the marines and deciding whether to arrest or anyone who had committed mistakes [...] A17: I think it was the responsibility of the division commanders. Regarding the screening, if they found out that a soldier had siblings/relatives who had worked for the previous regime, that soldier would be removed and sent to a different place. He would be sent to a different unit to work at rice fields or farms”]; **D54/47** Em Son WRI, A2 [“What I have told you about Meas Mut’s power to arrest and release people is the general information that everyone was aware of”]; **D54/24** Pak Sok WRI, A19-20 [“Meas Mut became the most senior commander of Division 164 [...] Meas Mut was in charge of everything -military, logistics, fisheries, ship repair, port activities”]; **D54/25** Pak Sok, A3 [“Why did you state in your interview with the Documentation Center of Cambodia that the order to kill was usually issued by Ta Mut? A3: To my knowledge, that was the standard operational procedure of the Division”]; **D54/104** Ek Ny WRI A14, 16 [“Q: Based on your observation, who was the most powerful person in making arrests, disarmament and sending soldiers to perform labour? A14: Only Bang Muth had because he had two positions. He was Division 164 Secretary and had another position in the cabinet [...] A16: Meas Muth had the authority to make arrests and punish civilians, soldiers and soldiers’ family members who stayed in the area controlled by Division 164”]. See also **D54/33** Ing Chhong WRI, A15-16 [explains that to enter the Navy – Regiment 140- one needed to have a good original class status and that biographies were recorded during the training given by Meas Muth at the Kampong Som cinema”].

1164 **D114/95** Yoem Sroeung WRI, A59, 151 [“The issue of those biographies was decided by the echelons. The people who made the decisions were under Meas Muth. The good people were still good, and the bad people

were enemies burrowing from within [...] Q: After they took those people away, did you meet those people again? A151: They died. Some of them were still alive at the end of the Khmer Rouge regime. I saw them with scars from being shackled on their wrists and ankles”. Lon Seng proposed a definition of the “bad elements” that differ from the one Son Sen adopted on 9 October 1976 (*see above*, para. 330, fn. 1134): **D54/43** Lon Seng WRI, A19 [“The ‘infiltrated enemy’ referred to persons within the ranks who did not take their assigned tasks seriously. ‘Consciousness enemies’ were persons who were reluctant to work and, therefore, could not complete their assigned tasks. ‘Bad elements’ referred to persons who had worked in the previous regime or who had relatives who used to work in the previous regime”].

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D114/31 Moul Chhin WRI, A103 [“We had to write a biography that included our relatives who were former civil servants in the Lon Nol regime and our own political tendencies. If they knew that we had relatives who had served in the old regime, we would be in trouble. Plus, if we had made any minor mistakes, they would pick us out like picking watermelons (and take us to be killed)”]; **D54/7** Dol Song WRI, A17 [“Regarding the screening, if they found out that a soldier had siblings/relatives who had worked for the previous regime, that soldier would be removed and sent to a different place. He would be sent to a different unit to work at rice fields or farms”]; **D114/25** Ou Dav alias Soeun WRI, A13-14 [“At that time, in the meetings, *Angkar* or the Party proclaimed they planned to screen the army. *Angkar* planned to smash the capitalists and former Lon Nol soldiers [...] A14: [...] the presenter during the meetings was Meas Mut”]; **D114/83** Sok Neang WRI, A34-35 [“between 1977 and 1978 [...] I was ordered to produce my biography. It was used to conduct an onsite investigation at my home village. On one occasion, I met a fellow villager named Norn near the Phsar Loeur of Kampong Som Market. At that time, he seemed to have supervise[d] or control[ed] the Toek Sab Prison. Because he had relatives who worked for the Lon Nol regime, he was as worried as I was. He told me that if they came to arrest him, he would not allow them to [...] I learnt that one month before the Vietnamese arrived, they came to arrest him, but he escaped and he was shot to death [...] A35: During that regime, if one was related to the previous regime, she would get great attention from others. The Khmer Rouge regime purified and chose only good people to work for them. Other people had to be gone. If someone who was related to the previous regime worked normally like other people without making any complaints or objections, she would be all right. However, if she complained or objected to the regime she would be considered as having opposed the regime [...] Q: what consequences would happen to them? A36: They would be arrested, interrogated and re-educated”]; **D54/93** Yem Sam On WRI, A19 [“Those with bad biographies were with the Lon Nol regime tendencies or those whose siblings had been affiliated with the Lon Nol regime”. *See also*, for purges due to both affiliations to the former King Sihanouk regime and the Khmer Republic regime: **D114/194** Sorn Sot WRI, A25-26 [“I had been removed [from Battalion 386 on Koh Tang] [...] because I had a brother and an uncle who had very senior positions during the King Sihanouk regime [...] A26: I had many relatives working in the previous regime who were the Captains or Majors. My uncle was tasked with protecting the Kang Keng Airport. He was a soldier”]; **D54/43** Lon Seng WRI, A19 [“‘Bad elements’ referred to persons who had worked in the previous regime or who had relatives who used to work in the previous regime. I was in danger as well at the time because one of my uncles was a major in the former air forces under the Sihanouk and Lon Nol regimes, but I concealed my background completely”].

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D114/78 Svay Sameth WRI, A37-39 [“Enemies were a group of capitalists and elites. The two classes were affiliated with the Lon Nol regime. Those who were in the middle-class peasants may or may not be affiliated with the Lon Nol regime. If they were affiliated, they would not be trusted. For example, for me, I was sent to different places and I was not given any important tasks to do at all [...] If there was a person who belonged to the middle-class peasant and affiliated with Lon Nol who misbehaved, he would be taken to be re-educated. If he did not change his behaviour, he would be taken to be killed [...] Q: What would the division's inspection committee do if they found that someone belonged to the capitalist or the elite class? A38: That person would disappear. For example, if a person who was very knowledgeable yet pretended to know nothing, it was not so long that he would disappear [...] A39: As for the classification of peasant class, a person was classified according to his information on his lifestyle. If a person had sufficient food, he would be classified as someone who belonged to the middle class peasant. If he didn't have enough food in stock for consumption for three consecutive months, he would be classified as someone who belonged to the lower-middle-class peasant. And if a person was short of food for six consecutive months, he would be classified as someone who belonged to the poor peasant class”]; **D114/77** Svay Sameth WRI, A37 [“The social classes which were used during that regime included the capitalist, the elite, the middle-class peasant, lower middle-class peasant and poor-class peasant”]; **D114/25** Ou Dav alias Soeun WRI, A18 [“Q: What did they ask in your biography? A18: They asked [...] my social class, whether I was a peasant or a worker. For example,

they asked whether I was as a low-class, middle-class, or upper-class peasant and so on”]. See also **D114/181** Sem Kol WRI, A40-A41 [“During that era, we had to conceal information. For instance, someone with high education would record that they studied only until Grade 7. If a person was a middle-class peasant, they would record that they were a lower-class peasant. The regime was carrying out a revolution, eradicating the capitalist class, the bourgeoisie, and the feudalists. We had to conceal information because they wanted to abolish the upper layers. The revolution aimed at abolishing the feudalist regime and the capitalists. Q: What did ‘abolish’ mean? A41: ‘Abolish’ meant to wipe them out in order to establish level class, so that there was no rich and no poor”].

1167 **D114/11** Neak Yoeun WRI, A5 [“At that time, they tried to find those who had close relationships with the former cadres who had been accused of betraying *Angkar*. They questioned us wanting to know whether or not we had communicated with or worked with those cadres. If we wrote in our biographies that we had worked with those cadres, sooner or later we would also disappear”]; **D114/16** Sok Vanna WRI, A21, 33 [“When I worked on the island, I saw them call those who worked with me away many times charging them with having connections with no-good elements and saying those soldiers were to be sent to work at Kang Keng like the ordinary people [...] A33: It may have been because those soldiers did not work well or did not follow orders, so they accused them of having connections with no-good elements. Sometimes the soldiers’ families had problems or were involved in activities in their home villages, so the soldiers themselves were also accused of having connections with no-good elements. During the Khmer Rouge regime, if our siblings had problems, we could not live peacefully in the ranks of the military”]; **D114/48** Sok Ngon WRI, A17 [“those with good biographies were those whose siblings or relatives had not been arrested, those who had not worked in the former government, or those who were not related to anyone with other political tendencies”]; **D54/103** Ek Ny WRI, A7-8 [“all the soldiers in my unit were disarmed at the beginning of the rainy season in 1977. During that time, Ta Muth came to attend a meeting after we were disarmed. During that time, he announced in the meeting that Chhan was a traitor, and former soldiers of [Unit] 86 (386) did not deserve trust. After the arrest of Chhan, the leadership including the political commissar and the commanders of the battalions, companies and platoons were also arrested [...] A8: During that Ta Muth said in the meeting that everyone had to keep the former soldiers of Unit 86 under surveillance. He said that former soldiers were all in KGB and CIA networks. He said KGB and CIA networks had not been completely destroyed. They were hiding within our ranks, so we had to keep them under constant surveillance”]; **D54/76** Uy Nhik (Uy Nhoek) WRI, A16 [“At that time, they accused former soldiers of the Sector 37 and East Zone persons of having no-good tendencies. Even persons who had been sent for training in China were called back”]; **D114/25** Ou Dav alias Soeun WRI, A24 [“First they ordered me to write my biography; after that they asked me, ‘When did you join the CIA?’ At that time, I decided to hide my background”]; **D54/8** Dol Song WRI, A3 [“Any soldier whose siblings at their base (hometown) had been arrested and accused of being traitors would also be arrested from within their unit”].

1168 **D54/115** Neak Yoeun WRI, A13, 15, 18-19, 22-24 [“I stayed and worked on land in Kang Keng under Yan. Yan later on disappeared, and when I asked them [leader] about Yan disappearance, they [leader] told me to stop asking about Yan anymore. After that they sent me to study in Kampong Som. Those who were sent to study had to complete the biography form, in which we were asked to report whether or not we had worked under Yan previously. As for me, I was in the same regiment with him, but I was not under his direct command [...] A15: At that time there was a study session which lasted for five days. In that study session, they asked us to make the biography. Cadres of the division included Ta Nhan and Ta Muth who ordered us to make the biography [...] A18: I assumed that the goal of that study session was for them to look for and arrest any ones who had had the connection with Yan in the past [...] A19: There was a slogan saying ‘if we clear grass, we must root it out’. The arrest of Yan was done in a secret manner, and only those close to Yan could know about that. Because of that, it made me think that they were also looking to arrest those who used to be close to Yan [...] A22: But on the last day of the study session, during the hours we were making the biography there were questions asking us about that. One of the questions asked if anyone of us had ever worked with Yan in the past [...] A23: During the hours we were making the biography on the closing day, Meas Muth was the teacher. He read all questions in the form to the attendees. He explained all the questions in the biographical form to the attendees and told us what we had to [...] Q: To your knowledge, did any attendees disappear after that study session? A24: Based on my observation, three to four persons, who used to work directly under Yan, disappeared. But I did not know their names. What I knew was that after Yan’s disappearance, some people who used to be close to him were sent to work in different units in Kampong

Som. The goal of the study session and of making the biography was to screen for those persons”]. As for the arrest of Mom Chim alias Yan, *see below*, para. 347, fn. 1203.

1169 **D1.3.27.16** DK Military Meeting Minutes, 16 Sep 1976, EN 00184340, KH 00064956, FR 00323920 [Son Sen’s recommended measures: “2. Must keep a trace and have a good and thorough grasp of the biographies of the army, especially, of those who have just been included by beating the drum after the day on which the whole country was liberated. 3. Must trace, guard, and check thoroughly”]; **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940349, KH 00052410, FR 00334979 [“Comrade Oeun [Division 310]: a number of cadres’ biographies are not yet clearly grasped, and it is not known whether they are clean, reliable or enthusiastic, nor not clean. There is the phenomenon of those who are concealing their biographies”]. EN 00940354-55, KH 00052414, FR 00334982-83 [Son Sen’s final remarks: “It is imperative to have units of organization firmly in hand. What is meant by grasping? Grasping what? Grasping the Party, grasping core organizations, grasping male and female combatants, grasping their biographies clearly, and grasping their standpoints and ideology clearly [...] 2. All units must be reorganized, and all biographies must be grasped again”]; **D1.3.27.23** DK Military Meeting Minutes, 15 Dec 1976, EN 00233712, 15, 18, KH 00095509, 12, 14, FR 00386203, 06, 08 [In their update on the enemy situation within their divisions, Comrade Pin and Pheap described ‘biography doing.’ Son Sen stated ‘grasping biographies’ as ‘imperative,’ and as a means of discovering true pasts of cadres who had something to hide; insisted on being “careful about those who mothers and fathers were purges or whose siblings were purged”]; **D1.3.8.4** DK Military Meeting Minutes (Division 164 cadres and Son Sen), 9 Sep 1976, EN 00657356, KH 00162490, FR 00643499 [Son Sen advises Meas Mut to handle enemy situation by getting a ‘firm grip’ on biographies]. *See also* **D4.1.1104** Kaing Guek Eav alias Duch WRI (clarification on document 2), EN 00197741, KH 00172304 [“So when the leaders had gone, the subordinates did not have much time left. The Party line required those responsible at every level and echelon to concentrate on tracking down people with bad biographies, so the leaders had to screen in detail”].

1170 **D114/16** Sok Vanna WRI, A35-36 [“They had us make biographies every month [...] A36: The order to make biographies came from the division, and the order was sent through the lower levels until it reached the team level. In my case, my team leader made our biographies. Then the team leader sent our biographies to the platoon leader, then to the company, then to the battalion, then to the regiment, and finally to the division”]; **D114/209** Moeng Seng WRI, A40 [“The biographies were constantly required. For example, before joining the Revolution, I was told to write my first biography in 1973. After I went to work on the PCF Ship, under Division 164’s supervision, I was told to produce it again”]; **D114/11** Neak Yoeun WRI, A5 [“Q: Did the fact that they had everyone write their biographies again and again for Division 164 contribute to the feeling of mistrust and fear you described above? A5: Yes, that is correct. This really played a part in my feeling of mistrust and fear”]; **D114/25** Ou Dav alias Soeun WRI, A16-17 [“Generally, they sent battalion messengers to make biographies. After that, they allocated soldiers from my battalion to join the navy, and they wrote the biographies of those soldiers on the ships [...] A17: While I was aboard, they sent the biography form to me to complete, and after I had completed it I sent it back”]; **D114/186** Sath Chak WRI, A73 [“When we changed units, we had to write the biography again”]; **D114/121** Suon Phar WRI, A29 [“when I was a soldier, they took it once. When I was working on the island, they took my biography again. When I was working at Kang Keng Airport, they took my biography again, and they took my biography yet again while I was working at Steung Hav”]; **D114/194** Som Sot WRI, A27 [“All of us were required to attend the study sessions in 1975. We were all required to produce our biography. We had to clearly state our backgrounds. We had to tell the truth. Even we didn’t tell the truth during those sessions it would be found out anyway”]; **D114/95** Yoem Sroeung WRI, A55 [“Q: When did they start collecting those biographies? A55: Ordinarily, when we moved from one unit to another unit, they would collect biographies to learn from which village, commune, and district we came from, for instance. However, as for me, I gave provided my biography only once”].

1171 **D114/20** Mak Chhoeun (Tep Chhoeun) WRI (Battalion Commander in Regiment 63), A3, 5, 9-10 [“I sent all the biographies to the regiment [...] A5: The regiment sent forms for us to fill in [...] Q: In making biographies, did you receive any training or instruction from the regiment or division? A9: There were staff working in different sections in each battalion: for example, Bureaus 1 and 2 had different responsibilities, such as administration, investigation/recon, procurement, biographies, and so on. For biography work, we sent expert staff to work with experts in the regiment. Then the forms and instructions on how to make biographies came down from Division 164 to the regiments and then to the battalions. Q: How did you know that the instructions for biographies were sent from Division 164? A10: That was general procedure; making

biographies was the same as making daily reports. In making biographies, the instructions and forms were sent down to be filled in”].

1172 **D114/77** Svay Sameth WRI, A37 [“The contents of the personal biographies included the [individual’s] original name, their revolutionary name, age, home town including village, commune, district, and province, date of birth, date when joining the revolution, number of siblings, political tendency, the number of soldiers who had worked during the Lon Nol’s regime; his/her siblings’ occupation (i.e. who had worked during *Samdech* Sihanouk’s regime) and his/her social class in the previous regime (e.g. rich or poor)”]; **D114/25** Ou Dav alias Soeun WRI, A18 [“They asked my name, my parents’ names, my place of birth, the date I joined the revolution, my position, my affiliation with any element or regime and my social class, whether I was a peasant or a worker. For example, they asked whether I was as a low-class, middle-class, or upper-class peasant and so on”]; **D114/105** Koch Tuy WRI, A75. For an example of a DK biography, see **D54/67.1** Nong Net DK Biography, 1976.

1173 **D114/95** Yoem Sroeng WRI, A57 [“Q: When they used the words ‘sending to the upper level’, do you know who was in charge of checking all those biographies? A57: At the time, I was able to conclude that those in charge of checking those biographies were in Meas Muth’s office”]; **D114/77** Svay Sameth WRI, A39, 46 [“My work was related to these personal documents. Each soldier’s document was cross-checked by a special committee of the Division, the so-called Inspection Committee [...] Q: How did you know that Meas Muth formed this committee? A46: He was responsible for Division 164, so he decided everything. No one was higher than Meas Muth in rank, so this committee was formed by Meas Muth”].

1174 **D114/77** Svay Sameth WRI, A39, 42-43 [“I do not know how many people worked for the Inspection Committee, but I know that they sent their trusted soldiers to the soldiers’ hometowns to have their biographies inspected. This committee ordered the Regiment to choose some soldiers that they trusted to verify the biographies of the soldiers at their home towns [...] A42: The information in the Democratic Kampuchea regime was not collected from only one source. The information was collected from multiple sources. By doing so, they could learn quickly who was honest or who was not. This strategy was also applied to the cross-check of the biographies [...] A43: I heard that there were soldiers who went to meet my family and cross-checked my biography”]; **D54/97** Khoem Yat WRI, A20 [“six months after I arrived in Kampong Som, they made my biography [...] The commander required us all to make biographies. As I know it, they even sent their people to search and investigate my background at Sector 22 based on what we wrote”]; **D114/209** Moeng Seng WRI, A42 [“If I didn’t tell them the whole truth, and if they later discovered at my home village that my biography was not accurate, then they would have sent me back to farm rice; they would have removed me from the ship”]; **D54/7** Dol Song WRI, A17 [“As for screening in my own case, investigators were sent to my village to verify if my biography was correct and whether or not I had siblings or relatives who had worked in the previous regime”]; **D114/113** Koem Men WRI, A120 [“At first, they had us fill out information about ourselves. This included our hometown, parents and siblings. Then they interviewed us [...] Then they used our biography and talked with people in our hometown to crosscheck whether what we had told them was the truth”]; **D114/186** Sath Chak WRI, A73-74 [“Our background was checked based on our biography. The information about our social class and our loyalty were searched. Crosscheck was also carried out at house in order to find out whether or not our biography was accurate [...] A74: I did not dare to hide my background. If I was found out to have falsified my background I would be punished”]; **D114/83** Sok Neang WRI, A34 [“one of my uncles was a former Lon Nol soldier [...] Fortunately they did not know that I was his relative. My worry grew between 1977 and 1978 because I was ordered to produce my biography. It was used to conduct an onsite investigation at my home village”]; **D114/48** Sok Ngon WRI, A17 [“I do not know who did the screening. I only know that during that time, people were sent to research our biographies with our families in our home villages”]; **D114/16** Sok Vanna WRI, A34-35 [“They had us make biographies, and they went to our home villages to verify whether or not what we wrote in the biographies was correct [...] A35: They had us make biographies every month, and they took our biographies to our home villages to verify”]; **D54/93** Yem Sam On WRI, A20-21 [“when they recruited me to work, they inquired about my background in my hometown [...] A21: My wife told me that someone came to inquire about and trace my background [...] they questioned other villagers about my background”].

1175 **D114/186** Sath Chak WRI, A165 [At Kang Keng rice fields, “The workers in the second category were ‘bad elements’ or those with bad backgrounds or petty bourgeoisies or rich people who were taken to do rice field work over there”]; **D54/100** Lay Boonhak (Lay Bunhak) WRI, A101-102 [Witness was removed from his position in Regiment 140 in late Jun 1978, forced to work and threatened because his brother-in-law was

arrested at the Division 164 hospital and it was found out they were related]; **D114/16** Sok Vanna WRI, A21, 34-35 ["When I worked on the island, I saw them call those who worked with me away many times charging them with having connections with no-good elements and saying those soldiers were to be sent to work at Kang Keng like the ordinary people [...] A34: If our families or siblings were involved with something bad for *Angkar*, we soldiers were removed from our positions and we would have problems too [...] A35: they took our biographies to our home villages to verify. If they discovered that our parents were involved with any activity which was not good for *Angkar*, they would remove us from the military ranks"]; **D114/194** Sorn Sot WRI, A27-29, 36-37, 39-40, 48, 66, 68 ["All of us were required to attend the study sessions in 1975. We were all required to produce our biography. We had to clearly state our backgrounds. We had to tell the truth. Even we didn't tell the truth during those sessions it would be found out anyway [...] When we finished the three-day education session, we were called to stand in line and, if we had weapons, pots, and/or plates, we had to carry them with us. Then they told us to leave the AK rifles at the place for AK rifles, to leave the M16 rifles at the place for M16 rifles. Then they dispersed us [...] A28: It happened in early 1976 at Ream [...] A29: at Wat Ream Chas [...] Q: the number of the soldiers who were disarmed and disbanded at Wat Ream Pagoda. Do you still remember how many soldiers there were? A36: There were a lot of them. It was about a size of a battalion [...] A37: over 300 soldiers [...] A39: [Toek Sap] was a place to detain prisoners. My group was detained over there. If anyone who was cultivating rice with me and committed mistakes, we would be detained there. Senior cadres were not detained there but sent to another place [...] A40: In meetings we were told that we needed to be careful. If we made mistakes we would be sent to Teuk Sap [...] A48: A person who was working with me was arrested. His name was Noeng. He was sent over there [Toek Sap]. He was arrested for beating his cow to death while ploughing a paddy field [...] A66: One guy did not have enough food, so he stole a potato. He was arrested, tied up, and sent to Teuk Sap. People called him Laktak [...] A68: We were not treated as soldiers anymore. We were treated as sub-citizen for we had some affiliation with the old regime"]; **D114/78** Svay Sameth WRI, A4-5, 16-17, 37-38 ["Q: You said that they could find out very quickly whether a soldier had given them true information regarding their biographies. What happened if the Khmer Rouge found that someone was telling a lie? A4: That person would be removed from his position. He would be taken to be reeducated. If he could refashion his behaviour, he would be allowed to come back. [If] he didn't prove that he corrected conduct he would disappear. Q: What does the word 'disappear' mean? A5: I did not know where they were taken to. 'Disappear' means that the person would never be seen again. But not all the people, who had been taken for reeducation, had disappeared. Some people were taken to be re-educated and seen coming back. Some disappeared [...] Q: Could you tell me the names of those people who disappeared? A16: They were Chum, Nhom, Hing, Nom and Ban [...] These five people were removed [...] In fact, there were many people who were removed. But I don't remember all their names. Chum and Nhom were superior to me. They worked in farming. When I was sent to do farming there, they were sent elsewhere. Chum and Nhom were the Battalion commanders [...] Nhom was sent to an island [...] Chum was sent to Koh Tang Island. But when I was sent to Koh Tang, I did not see him there. Nhom was sent to Koh Pring Island. He also disappeared. The word "disappear" means that I have not seen them again since then [...] A17: It was in late 1976 or early 1977 [...] A37: If they were affiliated, they would not be trusted [...] If there was a person who belonged to the middle-class peasant and affiliated with Lon Nol who misbehaved, he would be taken to be re-educated. If he did not change his behaviour, he would be taken to be killed. Q: What would the division's inspection committee do if they found that someone belonged to the capitalist or the elite class? A38: That person would disappear. For example, if a person who was very knowledgeable yet pretended to know nothing, it was not so long that he would disappear"]; **D114/95** Yoem Sroeung WRI, A60, 63 ["Q: What did they do to the people with bad biographies? A60: They said that they took away only the bad persons. As for where they took those persons, we did not know, because at that time no one dared to ask anything [...] Q: After they called someone, did you ever see that person again? A63: No, I never saw them again"]; **D54/12** Pres Mean WRI, A13.

1176 **D54/17** Say Born WRI, A11-12 ["Q: Did Meas Mut talk about traitors in each session? A11: Yes. He said that we had to be on the lookout for enemy activities within our ranks. Q: What did that mean? A12: Meaning this was Meas Mut's guidance to the students: to watch for and report any such activities to upper echelon"].

1177 **D114/284** Ek Ny WRI, A8-9 ["I feel really hurt. That purging from the inside made me unable to sleep. I always feel very frightened about the purging from the inside; the purging of the networks. Just in Division 164, [many people were killed]. Six hundred people were on the list. There were also many other people whose names were not listed. It was so cruel. Q: A moment ago you said that because of that policy, you and your friends were frightened. Is that correct? A9: Yes, it is"]; **D54/98** Heang Ret (Hieng Reth) WRI, A52

["Q: Why did no one dare to ask about the disappearances? A52: In that regime, we were afraid of being accused of being involved with those disappeared people"]; **D54/77** Uy Nhik WRI, A37-38 ["My fear was beyond description I lived in fear every day. Considering their treatment against me I could not believe that I was able to survive [...] A38: They treated us as if we were chickens or ducks. If they did not like us, they transferred us away, and we disappeared forever. Even our relatives did not dare to ask about our conditions"]; **D114/86** Chet Bunna WRI, A5 ["We had no fears before Dim and Chhan were arrested because we were the full-right sldiers. We had rifles to use, and we could move anywhere. However, after the announcement of the arrests of Dim, Chhan, and the Battalion and Regiment Commanders (namely Ta Ham and Ta Vet) was made we became frightened. We did not know when they would come to arrest us"].

1178 **D54/20** Sam Saom WRI, A12 ["I was on a remote island, but I heard that whenever anyone was arrested or disappeared, they would be sent to Tuck Sap Prison which was a sector/regional prison under the control of Meas Mut [...] I knew that some prisoners were sent to that prison temporarily before being sent to Phnom Penh. It is very hard to say because, at that time, anyone had the right to arbitrarily arrest and kill people. I was also afraid of being arrested and killed [...] For instance, when *Angkar* called one of my friends named Ret, a medic for my unit, for re-education at Kampong Som, his parting words to me were, 'If you do not meet me again, tell my parents and relatives that they have killed me.' The reason he told me that was that he has observed the majority of victims sent there never returned"].

1179 Also called Poulo Panjuang (or Koh Poulo Tang Sang) in Khmer and To Chou or Tho Chu in Vietnamese. The island had been first attacked by the Khmer Navy on 10 May 1975 and retaken by Vietnam at the end of May 1975. See **D1.3.17.5** Nayan Chanda, *Brother Enemy*, EN 00192197-98 and para. 308 above.

1180 **D114/79** Kang Sum WRI, A121, 126, 148-153, 156-163, 229 [Battalion 310 soldier explaining how about 300 soldiers from his battalion including himself were attacked on Koh Krachak Ses (Koh Poulo Tang Sang) in mid-1975 and were taken tied and blindfolded to Koh Tral where they were detained and worked for about 3 months as prisoners of war]; **D54/43** Lon Seng WRI, A15 ["the fighting was on Koh Poulo Wai Island. As I remember, one day, around 300 or 400 Vietnamese troops came ashore on Koh Poulo Wai Island from a P-111 vessel. At the time, other Vietnamese troops were swimrning ashore from different directions around the island to attack us unexpectedly. The Vietnamese troops took prisoner all the military officers of Battalion 310 and sent them to Koh Tral Island. The Vietnamese troops also seized our patrol vessels and the military officers and medical staff from Kampong Som who had come to intervene"]; **D54/105** Ek Ny WRI, A4 ["Those Khmer Rouge soldiers were arrested on Koh Poulo Wai Island, but later on they were released and returned to Cambodia. The Vietnamese released them at Ses Sa Kampot province. I recall that during that time the Vietnamese soldiers fought and took control of these two Poulo Wai Islands for three months"]; **D114/261** Chum Chy WRI, A2 [explains in details the circumstances of the attack of the Vietnamese forces on Koh Poulo Wai in Jun 1975, the fierce fightings and the capture of DK troops –Battalion 386, 420–, their detention on Koh Tral and their release a few months later after negotiations]; **D114/263** Chum Chy WRI, A15, 50 [clarifies that after their capture on both Koh Poulo Wai islands in Jun 1975, the witness and his fellow Battalion 420 members were brought and detained at Koh Tral where they joined with more than 200 other DK soldiers arrested on Koh Krachak Ses a few days before them]; **D114/285** Prum Sarat WRI, A144 ["They patrolled on Koh Pulo Panjang island [Koh Krachak Ses] [...] the Vietnamese soldiers fought on three islands including on Koh Pulo Panjang island, [...] Koh Polou Wai Chas and Koh Polou Wai Thmei [...] They fought and arrested 700 soldiers on those islands and took them to Koh Tral"]; **D54/77** Uy Nhik WRI, A8 ["Q: Which units did the soldiers on Koh Poulo Wai Island who were captured by the Vietnamese troops come from? A8: Those soldiers came from many different units; some of them came from Battalion 386"]; Witnesses Chet Bunna and Heang Ret speak of Battalion 410 instead of 310: **D114/66** Chet Bunna WRI, A36 ["At the beginning we went to attack and then occupied the Koh Krachak Seh Island. After that, the Vietnamese attacked us and occupied the Koh Polowai Island. But later on, the Vietnamese attacked us and occupied the Koh Polowai Island and also recaptured the Koh Krachak Seh Island from us. Among the units that had been sent to fight at that place were Battalions 410 and 420 of the Division 3. These two Battalions were under the command of two commanders named Torn and Voeun. Torn was the commander of Battalion 420, and Voeun was the commander of Battalion 410"]; **D114/287** Heang Ret WRI, A17, 42-43 ["After North Vietnam liberated South Vietnam, they sent their armed forces to fight us and occupy Krachak Ses and Poulo Wai islands. Some of my unit members were deployed over there as reinforcement forces. Finally, because we had only small ships and Vietnam had bigger and more ships than us, they could cut off our supply lines, opened attacks on Krachak Ses Island, captured us as prisoners of war and sent us to Koh Tral [...] Q: Is it correct when you said that the Vietnamese forces captured the soldiers inthe islands and the new

forces who were sent there to do intervention? A42: They were fighting at Krachak Ses and Poulo Wai islands. Immediately after the intervention forces were sent in, the Vietnamese forces captured all of us. They sent us to Koh Tral [...] A43: There were many units but Battalion 410 was the core force. I do not know if its code name was changed. At that time, Battalion 410 and a part of Unit 450 were sent there". See also **D54/74.1.15** Khieu Samphan, *Cambodia's Recent History*, EN 00103758; **D98/1.2.11** Nayan Chanda, T. 25 May 2009, 09.34.11-09.36.16, 13.44.10-13.48.37, 13.57.46-14.00.18; **D1.3.17.5** Nayan Chanda, *Brother Enemy*, EN 00192197-98 ["To revive an old claim to Phu Quoc Island (called *Koh Tral* in Khmer), the Khmer Rouge launched a seaborne ground assault on the island on May 4. Six days later, Khmer troops landed on Poulo Panjang Island (*Tho Chu* in Vietnamese and *Koh Krachak Ses* in Khmer) and evacuated at gunpoint five hundred Vietnamese inhabitants, who were never heard of again. Nguyen Van Tot, a South Vietnamese soldier who was in Rach Gia at the time of the attack, lost his entire family of twelve. When he returned to Poulo Panjang four months later, his home was in ruins and the island littered with skulls. Two weeks after the Khmer Rouge landing, the Vietnamese launched a counterattack, killing many Khmer soldiers and taking about three hundred prisoners"]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 11.09.49-11.12.01 ["there was a fighting between the forces of Vietnam and of Democratic Kampuchea at the islands. Vietnamese forces arrested 720 DK soldiers, and detained them as prisoners of war in Kaoh Tral"], 11.15.39-11.17.57; **D114/27.1** New York Times, *Vietnam Said to Capture Island off Cambodia*, 14 Jun 1975, EN 00165960-61; **D1.3.12.21** Facts and Documents on Democratic Kampuchea's Serious Violations of the Sovereignty and Territorial Integrity of the Socialist Republic of Viet Nam, Jan 1978, EN 00196223 ["violations of Vietnamese territory' committed by the Kampuchea side in early May 1975 when the latter ordered its armed forces to land on Phu Quoc Island and to attack Tho Chu Island"], 00196229 ["In the course of the August 10, 1975, summit meeting to deal with the consequences of these incidents, the Kampuchean side itself said that its lack of topographical knowledge was the origin of these encroachments"], 00196233 ["the Vietnamese side settled these incidents in a fraternal spirit between comrades: return to the Kampuchean side of all persons belonging to Kampuchean armed forces and captured in the course of the clashes"].

1181 **D114/79** Kang Sum WRI, A164-165, 229 ["Q: Upon your return to Kampong Som, what happened? A164: We were no longer trusted [...] A165: They said that we came from Vietnam. They feared that the Vietnamese had educated us and we had already become KGB or Vietnamese agents [...] A229: Later, we were no longer trusted. We were accused of belonging to the KGB or the Vietnamese CIA. Next, all of us were sent to work at the quarry in Au Mlou"]; **D114/260** Sorn Sot WRI, A36-37 ["Soldiers of [Ta Chy's] group were demobilized. The group were captured as prisoners of war, but they were released afterwards. Then, those soldiers were demobilized and were not allowed to fight again. They [the Khmer Rouge] were concerned that the Vietnamese had politically indoctrinated them [...] It was Ta Muth who was the division commander who demoted them"].

1182 **D114/194** Sorn Sot WRI, A73 ["[Battalion 310 was] Ta Muth's unit [...] The battle took place in Koh Poulo Wai when the Vietnamese troops went to fight against Ta Muth's army. That did not happen at Koh Tral Island. When the Vietnamese troops arrested them, they sent them to Koh Tral Island. After being sent to Koh Tral Island, they were sent back via Kep and were all sent to my place to cultivate rice. They were no longer trusted. They were perceived to have been indoctrinated by Vietnamese troops after they had been detained. They did not allow them to be in the army again"]; **D114/260** Sorn Sot WRI, A36-37 ["Ta Chy's group was involved in the fighting. While fighting, he was captured. But he was released afterwards. The Khmer Rouge persecuted and demoted him. Soldiers of his group were demobilized. The group were captured as prisoners of war, but they were released afterwards. Then, those soldiers were demobilized and were not allowed to fight again. They [the Khmer Rouge] were concerned that the Vietnamese had politically indoctrinated them, so they demobilized them [...] A37: It was Ta Muth who was the division commander who demoted them"]; **D114/79** Kang Sum WRI, A164-167, 174, 229 ["Q: Upon your return to Kampong Som, what happened? A164: We were no longer trusted [...] A165: They said that we came from Vietnam. They feared that the Vietnamese had educated us and we had already become KGB or Vietnamese agents [...] A166: I was transferred to a quarry to break seven cubic metres stone of per day in Au Mlou, near the Cheng Heng Coconut Plantation [...] A167: It was called the Au Mlou at Kang Keng Airport [...] A174: All of us went there. They removed us from our positions. We were no longer subordinates or superiors. We had the same status [...] A229: Each of us was made to dig seven cubic metres of rocks per day. Ta Nhan ordered us to dig rocks to complete that quota. Ta Nhan was the Deputy Commander of Division 164. He was in charge of logistics. We were all removed from our positions. None of us was the unit leader anymore. We were all

equal”]; **D114/186** Sath Chak WRI, A111, 113, 119-120 [“Vietnamese forces attacked Poulo Wai Island because they said that the island belonged to their country [...] It is true that the Vietnamese captured people from my unit [Battalion 310] I know when they were sent back. Those who were sent back returned to my unit. However, the unit did not allow those who had been arrested to stay together. A few of them would be stationed in one unit. Others were stationed in another unit [...] After being split up, those who had been arrested were then transferred from our unit to the production unit, to work in rice fields near Kang Keng [...] it was said that those people had been to Vietnam [...] A113: Those people were transferred to do rice field work at Kang Keng, which was the name of the airport. Bad elements were taken to do rice field work over there [...] A119: After those people came back from Vietnam, they were split up. After they attended a political school [...] they were integrated into various units within the same battalion. They were not allowed to stay together. One group of them was stationed over here; another group was stationed elsewhere [...] A120: It was perhaps in 1976 [...] A121: at that time, their background was reviewed because they had been ordered to write their biography. At that time, biographies were very important. Those people were not removed all at once. They were removed one after another. Hardworking people and people with proper conduct would be allowed to stay longer”]; **D114/85** Chet Bunna WRI, A4-5 [“After their return [from Koh Tral / Phu Quoc island], they did not get a special welcome because the Khmer Rouge felt suspicious with them regarding what had happened to them during their detention in Vietnam. The Khmer Rouge suspected them and ordered them to undergo further re-education [...] The key issue that the Vietnamese focused on was to teach the Khmer Rouge prisoners of war to accept that Koh Tral Island belonged to Vietnam not Cambodia [...] A5: [...] They were considered to be suspected or unreliable components. Therefore, some of those soldiers were incorporated into a Company, which was called the ‘bad Component Company’, where soldiers from other units and I were also sent to. We were considered the same as prisoners. We were not detained, but we were tempered”]; **D54/36** Brak Sokha WRI, A2, 4-5, 11, 28 [“We were told that we were to be transferred from the unit to be placed in a mobile unit at Prek Chak because our unit contained no-good elements and that we had to be sent for tempering. In that mobile unit, there were also former members of Battalion 310 who were deployed to fight at Koh Tral and were arrested by the Vietnamese. Upon their transfer from Vietnam they were sent to the mobile unit. Former East zone soldiers were also in the mobile unit with us. They were accused of being traitors [...] Q: How many people were in that mobile unit at the time? A4: There were two full battalions [...] Q: Were some people released from that unit at any point and sent to work in Division 164? A5: None. Anyone who was sent to that unit was never released [...] A11: There were between 50-60 East zone people, 30-40 17 April people, and there were about 10-20 Khmer Krom people. The rest was all members of Battalion 310 and other soldiers who were sent from other units [...] A28: [In Stung Hav] They neither considered us civilians or former soldiers. They regarded us as someone who had to be tempered. They regarded and treated us as slaves”] *Contra*: Contrary to Battalion 310 forces, Chum Chy, combattant of Battalion 420, claims that he returned to his unit a few days after his release from Koh Tral and was posted on Koh Tang. However, he does not say what happened to his colleagues and no details about this return and work at Koh Tang was asked by the investigator during his six interviews: **D114/261** Chum Chy WRI, A6 [“From 1975, when I was released, they sent me to the army, to Koh Tang Island, the same as before, Battalion 420, the same as before”]. As for the harsh living and working conditions at those worksites, *see also* sections **VIII.F. Ream Area Worksites** and **VIII.E. Stung Hav Worksites**.

1183 **D114/1816** Sath Chak WRI, A116 [“Q: Members of Division 310 were arrested and later released. What happened to the commander and deputy commander? A116: It was not a division; it was Battalion 310. The battalion commander was not stationed there; only platoon and company commanders were stationed there [...] Ham, the battalion commander, disappeared as he was accused of betrayal. New commanders were appointed. Some of them disappeared or were transferred to other places”].

1184 **D114/85** Chet Bunna WRI, A5 [“They [the soldiers released by the Vietnamese from Koh Tral] were considered to be suspected or unreliable components. Therefore, some of those soldiers were incorporated into a Company, which was called the ‘bad Component Company’ [...] We were considered the same as prisoners. We were not detained, but we were tempered. If they were not satisfied with our work, they would send us to Teuk Sab immediately. I mean that if they were not fond of our behaviour or work, or if we complained about the work, they would immediately send us to Teuk Sab [...] they placed us aside to be scrutinised, followed up and tempered. In short, they treated us even worse than they did to the 17 April people [...] They monitored us carefully. Therefore, if we made even a tiny mistake, they would take us to be punished immediately”]; **D114/79** Kang Sum WRI, A328 [“Q: When you were suspected of being a

Vietnamese spy, why were you spared? A328: I was spared. But I was under close watch. If I had made a mistake, they would have immediately accused me. But I knew that in advance and then I improved myself”].

1185 **D22.2.4** Division 164 Committee Statistics Report, *Division 164 Daily List of Forces*, 30 Jul 1976, EN 00950655, KH 00160118 [Under the title “Disappeared from the units”, 6 “escaped”, including 1 from Regiment 61 and 5 from Battalion 165]; **D22.2.5** Division 164 Committee Statistics Report, *Division 164 Daily List of Forces*, 28 Aug 1976, EN 00950657, KH 00160123 [Under the title “Disappeared from the units”, it is reported that 3 “escaped”: 2 from Regiment 61 and 1 from Battalion 168]; **D1.3.5.3** Meas Muth Statistics Report, *Division 164 Daily List of Forces*, 27 Oct 1976, EN 00233989, KH 00160147 [Under the title “Disappeared from Unit”, 3 soldiers from Regiment 140 are reported to have “deserted”] (*See also* **D54/24.2** Meas Muth Statistics Report, *Division 164 Daily List of Forces*, 27 Oct 1976, EN 01145323, KH 00955521); **D1.3.34.11** Telegram 11 from Dim (Division 164) to Meas Muth, 24 Sep 1976, EN 00233660, KH 00000863, FR 00654897 [“The state of things on the land in Riem and Baboh subdistricts after we took the measure against the enemy that you decided is that five of them fled into the forest, were pursued and arrested by us”], EN 00143522, KH 00000863, FR 00654897 [“Another two (combatants) had deserted a Unit in Sang Hav. They will be transferred from Unit 63”]; **D1.3.8.4** DK Military Meeting Minutes (Division 164 cadres and Son Sen), 9 Sep 1976, EN 00657355-56, KH 00162489-90 [Discusses the fate of about 40 military led by Vong Sruol in Stung Hav who had the intent to defect].

1186 **D114/178** Oem Sokhan WRI, A77 [“Some people in my group managed to escape, and some were arrested and killed. In small groups, we ran into the forest. They chased and killed them”]; **D54/105** Ek Ny WRI, A6 [Explains that after Sarat, a battalion chairman, had been arrested, three soldiers of his battalion took their guns and fled into the forest as they knew they would themselves be arrested. The three of them (An, Lay and Ni) were ultimately killed by Meas Muth’s special unit men, not without resisting]; **D54/101** Ek Ny WRI, A10 [“During that time the leadership of the Division had removed troops of Battalion 386 from the islands and from other places and sent them into a unit called the Production Unit. At that time I heard from the soldiers, who had been removed and sent to the Production Unit with me, saying that brother Rem, the former commander of Battalion 386, was shot dead in front of Wat Enta Nhean Pagoda. They told me that when the soldiers were ordering him to raise his hands, he resisted and punched them back. Those soldiers, who were arresting him, were from the Special Unit of Ta Mut. They were like Ta Mut’s bodyguards and also known as his right hand unit. After punching those soldiers, Rem jumped out of the car and tried to flee. The soldiers promptly shot him in the head. He fell on the street in front of Wat Enta Nhean Pagoda and died instantly”]; **D114/83** Sok Neang WRI, A34 [“Norn [...] seemed to have supervise or control the Toek Sab Prison. Because he had relatives who worked for the Lon Nol regime, he was as worried as I was. He told me that if they came to arrest him, he would not allow them to, and he would escape and prefer to let them chase and shoot him [...] I learnt that one month before the Vietnamese arrived, they came to arrest him, but he escaped and he was shot to death”]; **D54/68** Nong Net WRI, A33 [explaining that escaping from Stung Hav worksite was impossible as they would not have anything to eat and would be killed if arrested]. *See also* **D114/31** Moul Chhin WRI, A116 [Former Battalion 386 soldier sent to work in Praek Chak, near Ream : “Escape from Praek Chak worksite was rare. It was strictly controlled”]; **D114/194** Sorn Sot WRI, A78 [“I ran in front of them and I almost defected to the Vietnamese army. Because it was revealed, the Khmer Rouge told me that if I joined the Vietnamese troops they would shoot me to death”]; **D114/47** Tae Ry WRI, A84 [“Did they speak about enemies during the meetings? A84: They told us not to collude with enemies, not to be deceived by enemies, and not to defect to enemies”]; **D114/121** Suon Phar WRI, A47 [“From my understanding, when they arrested someone who tried to run away, that person was killed”].

1187 **D114/198** Pin Sam Aun WRI, A54-55 [Division 310 member explaining that Centre Divisions cadres including the Navy took part in a one-month training in Phnom Penh Olympic Stadium during which Son Sen and Nat explained that “soldiers whose parents or relatives were affiliated with Lon Nol’s government, Sangkum Reastr Niyum or the French era, would be put aside. Those soldiers were called the soldiers with tendency even though they were in the army or among the cadres [...] A55: The Khmer Rouge was afraid that there would be someone in the revolution who could be the revisionists [...] The Khmer Rouge was afraid that those people, who couldn’t stand the hardship, revolt”]; **D4.1.858** Sokh Chhien WRI, EN 00374951, KH 00373487 [“After 17 April 1975, biographies were made to seek out Lon Nol government officials, and when one was discovered, a Khmer Rouge soldier who was connected with the Lon Nol government official was removed and lost his position and made to work somewhere else”]. As for the CPK policy toward Khmer Republic soldiers, *see, e.g.,* **D4.1.886** *Revolutionary Flag*, Sep-Oct 1976, EN 00450529 [“In the base areas, as

for the characteristics of the contradictions that we can detect, most of them are government officials, policemen, soldiers, and students”]; **D4.1.861** *Revolutionary Flag*, Aug 1975, EN 00401483 [“Government agents, spies, and pacifist agents were eliminated”]; **D98/1.2.17** Kaing Guek Eav alias Duch, T. 21 Mar 2012, 10.02.23 [In 1973, the Party Centre defined two ‘special classes’ of enemies: ‘police and soldiers’ and ‘monks [and] educated Buddhists’]; **D4.1.480** Dy Yet alias Pech WRI, EN 00275129, KH 00212085, FR 00293910 [In April 1975, [there was a meeting] “in the Thmei Khmer Village Cooperative about killing the 17 April people and the Lon Nol soldiers. I heard Yeay Phoeun say that they all had to be killed at the orders of the upper level”]; **D234/2.1.138** Ou Dav, T. 10 Nov 2016, 14.19.04-14.27.12 [explains how Ta Mok, Ta Muth and Ta Met organized the arrest and killing of all Khmer Republic pilots found at Pochentong on 17 April 1975]; **D114/24** Ou Dav WRI, A14-41; **D4.1.799** Sa Sroeng WRI, EN 00408405.

1188 **D54/43** Lon Seng WRI, A19 [“‘Bad elements’ referred to persons who had worked in the previous regime or who had relatives who used to work in the previous regime. I was in danger as well at the time because one of my uncles was a major in the former air forces under the Sihanouk and Lon Nol regimes, but I concealed my background completely [...] Division 164 assigned a production unit, a so-called big production unit, to be stationed there [Puth Te village]. That production unit was comprised of thousands of former military officers who were regarded as ‘bad elements’. I am talking about that site because I had a conflict with the battalion commander, Tom, from Kampot. Tom accused me of being ‘petty bourgeois’ because I was educated. I challenged him accusing him of being a former student in lower secondary school [...] Later, Tom [himself] was sent to the so-called big production unit in Puth Te Village”]; **D54/36** Brak Sokha WRI, A1 [“Q: Why were you considered a no-good element and subsequently placed in a mobile unit? A1: It’s because my uncle and grandfather were former Lon Nol soldiers. Due to this implication my father was arrested and killed by Ta Phem commune militia in 1973. The Khmer Rouge considered me a no-good element due to this implication, though I personally did not do anything wrong”]; **D54/35.1** Brak Sokha (Prakk Sokha) DC-Cam statement, EN 00971212-13, KH 00964247-48 [“During that time, if we had some connection, they removed us [from the soldier] [...] Q: The reason behind my removal related to the killing of my father. They accused my father of having a connection with the enemy. At that time I even did not know what year they had taken my father to be killed. Q: Because *Angkar* had taken your father to be killed, you must be removed from the soldier? A: Yes, they took him to be killed since [19]73, and I did not know about that until in 75 - oh, in 77 at the time of my removal”]; **D54/93** Yem Sam On WRI, A19-20 [Division 164 cadre sent to study in China: “You have just mentioned good biographies. What kinds of personnel had bad biographies? A19: Those with bad biographies were with the Lon Nol regime tendencies or those whose siblings had been affiliated with the Lon Nol regime [...] A20: According to Khmer Rouge principles, those with tendencies toward the former regime -- the Lon Nol regime -- were not allowed to work in the new regime”]. See also **D114/139** Nguon Lay WRI, A20 [“I was in Division 164, Regiment 63. I stayed at Kang Keng Airport. I stayed there for three months. Then, they started to purify and investigate our biographies. I had a problem with my biography because my uncle, my father’s younger brother, was a Dab Chhuon soldier, and my cousin was a spy for the former Lon Nol government. I was the son of an affluent family; my father was a pepper dealer. However, because I had worked well, they only dismissed me as military personnel and as a bodyguard”].

1189 **D114/78** Svay Sameth WRI, A36-37, 39, 41 [“[in biographies] there was a part about political tendency, and screening to uncover if any person was affiliated with the Lon Nol or had relatives who were affiliated with the Lon Nol regime. Q: How did the inspection committee judge if a person was an enemy or affiliated with the enemies? A37: Enemies were a group of capitalists and elites. The two classes were affiliated with the Lon Nol regime. Those who were in the middle-class peasants may or may not be affiliated with the Lon Nol regime. If they were affiliated, they would not be trusted. For example, for me, I was sent to different places and I was not given any important tasks to do at all. I was not assigned to any key locations. I was classified as in the middle-class peasant. I had relatives who had worked under Lon Nol regime. My second cousin worked as a teacher, and two others worked as Lon Nol soldiers. If there was a person who belonged to the middle-class peasant and affiliated with Lon Nol who misbehaved, he would be taken to be re-educated. If he did not change his behaviour, he would be taken to be killed [...] A39: My work was related to these personal documents. Each soldier’s document was cross-checked by a special committee of the Division, the so-called Inspection Committee. I do not know how many people worked for the Inspection Committee, but I know that they sent their trusted soldiers to the soldiers’ hometowns to have their biographies inspected. This committee ordered the Regiment to choose some soldiers that they trusted to verify the biographies of the soldiers at their home towns [...] Q: How was political tendency related to the classification of class? A41: First, our class was identified. Only after the inspection committee inspected our homes did they identify our

political tendency”]; **D114/208** Long Phansy WRI, A30 [Former Artillery Battalion and Battalion 612 commander in Stung Hav: “The problem for which I was removed from the unit emerged from the finding of their examination that I was CIA-KGB. After they took me to unit 612, they kept me under surveillance and examination; that is, when I went down to work, when work was handed over to me, their examination that in my unit there were broken metal bars and broken cask gaskets. They accused me of wrecking. This was the first reason. The second reason was that they found that my family was that of the rich, which was a target for them to eliminate. One of my brothers who was working as an electrical engineer in Phnom Penh was arrested and taken to be killed”]; **D114/25** Ou Dav alias Soeun WRI, A13-14 [“At that time, in the meetings, *Angkar* or the Party proclaimed they planned to screen the army. *Angkar* planned to smash the capitalists and former Lon Nol soldiers [...] A14: the presenter during the meetings was Meas Mut; some leading cadres from Phnom Penh were present as well but he did not know their names”].

1190 **D114/78** Svay Sameth WRI, A38 [“Q: What would the division's inspection committee do if they found that someone belonged to the capitalist or the elite class? A38: That person would disappear. For example, if a person who was very knowledgeable yet pretended to know nothing, it was not so long that he would disappear”]; **D114/31** Moul Chhin WRI, A103 [“Q: You made your biography monthly, correct? A103: Yes, correct. We had to write a biography that included our relatives who were former civil servants in the Lon Nol regime and our own political tendencies. If they knew that we had relatives who had served in the old regime, we would be in trouble. Plus, if we had made any minor mistakes, they would pick us out like picking watermelons (and take us to be killed)”]; **D114/83** Sok Neang WRI, A34-35 [“I met a fellow villager named Norn near the Phsar Loeur of Kampong Som Market. At that time, he seemed to have supervise[d] or control[ed] the Toek Sab Prison. Because he had relatives who worked for the Lon Nol regime, he was as worried as I was. He told me that if they came to arrest him, he would not allow them to [...] I learnt that one month before the Vietnamese arrived, they came to arrest him, but he escaped and he was shot to death [...] A35: During that regime, if one was related to the previous regime, she would get great attention from others. The Khmer Rouge regime purified and chose only good people to work for them. Other people had to be gone. If someone who was related to the previous regime worked normally like other people without making any complaints or objections, she would be all right. However, if she complained or objected to the regime she would be considered as having opposed the regime [...] Q: what consequences would happen to them? A36: They would be arrested, interrogated and re-educated”]; **D114/181** Sem Kol WRI, A40-41 [Former Regiment 140 soldier: “During that era, we had to conceal information. For instance, someone with high education would record that they studied only until Grade 7. If a person was a middle-class peasant, they would record that they were a lower-class peasant. The regime was carrying out a revolution, eradicating the capitalist class, the bourgeoisie, and the feudalists. We had to conceal information because they wanted to abolish the upper layers. The revolution aimed at abolishing the feudalist regime and the capitalists. Q: What did ‘abolish’ mean? A41: ‘Abolish’ meant to wipe them out in order to establish level class, so that there was no rich and no poor”]; **D114/40** Moul Chhin WRI A60-61 [“Wat Enta Nhien Pagoda was the Division prison. Some prisoners were soldiers whose fathers had been soldiers during the Lon Nol regime. Q: How did you know that a number of soldiers, who were detained with you, were imprisoned because their families were involved with the Lon Nol regime? A61: We talked with each other in that room because we were shackled close to each other. Therefore, I knew their stories”].

1191 *See, e.g.*, **D114/76** Svay Sameth WRI, A21 [“On Koh Tang Island, there were soldiers from various units. I was stationed on the island for over two months. After which I, alone, was ordered to [go to] Kang Keng where I did farming. I didn't know why I was sent to Kang Keng. I assumed that I was suspected for I had some relatives who used to work as soldiers under the former regime. That was the most difficult time for me”]; **D54/7** Dol Song WRI, A17 [“Regarding the screening, if they found out that a soldier had siblings/relatives who had worked for the previous regime, that soldier would be removed and sent to a different place. He would be sent to a different unit to work at rice fields or farms”]; **D54/43** Lon Seng WRI, A19 [“‘Bad elements’ referred to persons who had worked in the previous regime or who had relatives who used to work in the previous regime. I was in danger as well at the time because one of my uncles was a major in the former air forces under the Sihanouk and Lon Nol regimes, but I concealed my background completely. I want to talk about another site in Puth Te Village, located to the north of National Road No.4, across the road from Kang Keng airport. Division 164 assigned a production unit, a so-called big production unit, to be stationed there. That production unit was comprised of thousands of former military officers who were regarded as ‘bad elements’”]; **D114/139** Nguon Lay alias Y WRI, A102, 106, 109 [“That [Bet Trang] dam was called Put Thoeung Dam [...] A106: there could have been hundreds or thousands of people [...]

A109: Most of them were soldiers”]. See also **D114/95** Yoem Sroeung WRI, A148, 151, 158, 161, 166 [“Q: How often did you hear of them taking away soldiers with bad biographies? A148: Mostly, I did not see that, as I was always on the water. If they needed to take someone away, they had a boat pick up that person. They took persons away once or twice a month; each time about five persons were taken away. However, some months they did not come to take anyone away [...] Q: After they took those people away, did you meet those people again? A151: They died. Some of them were still alive at the end of the Khmer Rouge regime. I saw them with scars from being shackled on their wrists and ankles”].

1192 See **VIII.C.3. Wat Enta Nhien Security Centre; VIII.C.4. Toek Sap Security Centre; VIII.D. S-21 Security Centre.**

1193 As for S-21, Duch clearly stated that torture was inevitable for all prisoners interrogated: **D114/277.3** Kaing Guek Eav alias Duch, T. 9 Jun 2016, 09.36.55-09.39.23 [“The physical torture was inevitable. There was only one case in which I did not use physical torture. For Comrade Hor, there was only one case in which he did not use torture [...] In most of the cases during the interrogation, it involved the use of physical torture”]; **D98/1.2.19** Kaing Guek Eav alias Duch, T. 27 Mar 2012, 09.35.06-09.36.30 [“whether or not all confessions were extracted by ways of torture, I can say that, well, all of them except Koy Thuon’s were torture[d]”], 09.39.30 [“in general, torture was not avoidable there”]; **D10.1.64** Kaing Guek Eav alias Duch WRI, EN 00412114 [“as for torture, it was inevitable at S-21”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147524 [“Anyone taken for interrogation mostly could not avoid torture, except for special cases like the case of Koy Thuon, whom I had orders not to torture”]. As an example of Division 164 who was forced to denounce associated traitors, see Hang Doeun alias Dim’s confessions: **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00224085; **D1.3.18.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00759713-17, KH 00177026-30 [Lists 94 “traitorous forces within Division 164, including cadres from the committees of Division 164, Regiments 62 and 63 and numerous Battalions and companies]. In a veiled reference to confessions obtained at S-21, Meas Muth admitted that the headquarters were able to “investigate their deep background”. See **D114/307.6** Meas Muth statement to VOA, *Tribunal Suspect Find Court’s Role ‘Limited’*, 6 Oct 2011, EN 00746178 [“Q: Had those three [taken to S-21] made any mistakes? A: I didn’t see any mistakes. But sometimes we couldn’t investigate their deep background, and at the headquarters they could have found out something that we could never know”].

1194 **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680799 [“before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions”]; **D4.1.860** Kaing Guek Eav alias Duch WRI, EN 00403918-19 [“In practice, when a person was implicated in a confession, the superiors informed the head of the unit”]; **D98/1.2.6** Kaing Guek Eav alias Duch, T. 27 May 2009, 09.33.54 [“the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would -- selected some of the names from those from Division 502”], 09.57.12-10.00.15, 10.34.00; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932 [“The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons”].

1195 See **VIII.D. S-21 Security Centre.**

1196 For example, **D114/25** Ou Dav WRI, A35 [Former Division 164 platoon chief, Regiment 140, former Battalion 180: “I met former soldiers I used to work with in Koh Kong. They came from my old battalion, Battalion 180. When the Khmer Rouge arrested the commander, they dissolved my unit and transferred some soldiers to join the Sector 11 military in Koh Kong”]. As for other networks (former Battalion 386 soldiers and former Division 164 soldiers from the East Zone, see *The Sector 37 (former Battalion 386) Network*, paras 349-354 and *The East Zone (Sector 22) Network*, paras 355-360.

1197 See **VIII.D. S-21 Security Centre.**

1198 **D114/226** Kim Hav WRI, A82-85 [“[Chhan] died in 1977 [...] A83: He died when Pol Pot called him to be re-educated. He was taken to be killed. He was told to go to study, and he disappeared. Q: Who came to call him to go to be re-educated? A84: The zone group [...] A85: At that time, when we heard that one person was called to go to be re-educated, it meant that the person would be taken to be killed”]; **D114/241** Chheng Cheang WRI, A81-83 [“I knew another person named Chhan; I saw him occasionally. One week before he went to Phnom Penh he told me, “Brothers and sisters here should stay calm [...] A82: we were his subordinates [...] A83: I only knew that he came to tell me that they removed and sent him to Phnom Penh”];

D114/31 Moul Chhin WRI, A16, 19, 91, 127-128 [“Chhan was the commander [...] Later Chhan was taken to be killed [...] A19: If I had had any status or position, such as company chairman, I surely would have been killed, since company commanders and above were taken away and killed under the pretext that they were being taken to study [...] A91: Every time battalion / regiment commanders were called away to study at the cinema in Kampong Som, they disappeared and we never saw them return [...] After months passed, they still did not return [...] Q: You stated that the battalion/regiment commanders disappeared. Can you provide their names? A127: Yean, Rem and Suor [...] A128: Chhan disappeared too. Generally speaking, all the commanders disappeared. Only ordinary soldiers survived”]; **D114/139** Nguon Kay alias Y WRI, A65-66, 74, 77 [“[Veth] was arrested [...] A66: I heard people say that he had been arrested when he went to a seminar. When he went to the mainland in order to take part to in the seminar, I transported him and his fellows there [...] Q74: Regarding the senior leaders, like Veth, who were called for the seminars, did they return? A74: Only this man never returned [...] Q: Do you know if he was arrested at that time? [...] A77: Well, I heard about it when those who had attended the seminar returned home”]; **D114/105** Koch Tuy WRI, A18; **D54/102** Ek Ny WRI, A14.

1199 **D114/307.6** Meas Muth statement to VOA, *Tribunal Suspect Find Court’s Role ‘Limited’*, 6 Oct 2011, EN 00746176 [“Q: Where there any soldiers dispatched to Duch’s prison, S-21, to be executed [...] A: I say there could be some. I said there could be some because the general staff (of the Khmer Rouge Army) summoned people to come for training. At the end of the training, they told the unit that they would not send so-and-so back to the unit. Instead, the general staff sent them to S-21. The unit in reality didn’t know the reasons. This incident happened once or twice in the unit I was in charge of [...] the general staff that was in charge of all the divisions customarily summoned mid- and low-level leaders for training at their center [...] three or four times per year”], EN 00746178 [“Q: When you were in the division, was there any order to take a person to be killed or destroyed at Duch’s prison? A: In my division there was no order to do that. I saw only one time where they called three people to the training. They told us that they would keep those three there and wouldn’t let them return to the unit. Q: Had those three made any mistakes? A: I didn’t see any mistakes. But sometimes we couldn’t investigate their deep background, and at the headquarters they could have found out something that we could never know” (*emphasis added*)].

1200 **D54/102** Ek Ny WRI, A7, 23 [“Q: How did you know that they sent the prisoners from Wat Enta Nhien Pagoda to Phnom Penh? A7: The former soldiers of the Special Unit told me about that, and I used to see also the soldiers’ truck transporting the prisoners from Wat Enta Nhien Pagoda to Phnom Penh. That truck was called the Chinese 4 X 4 military truck. One day while I was working at a canal across the National Road 4 near the Kang Keng airfield, I saw that truck stopped to add water to the truck’s cooling system. That truck was traveling in the direction to Phnom Penh. I saw soldiers, who were escorting the truck, carried AK 47 rifle and sat in the back of the truck. That truck was totally covered from the roof down. When that truck stopped, I heard people were crying and moaning inside it, but I could not see those people [...] A23: [...] Teuk Sap was a prison for ordinary soldiers while Wat Enta Nhien Pagoda was a transit place where prisoners at the leadership level had been temporarily detained before they were transferred to other places”]; Prior to his transfer to S-21, Sokh, Division 164 Hospital Chief, was imprisoned at Toek Sap security centre, according to Iem Phong and Meas Saran: **D114/130** Iem Phong WRI, A109; **D54/117** Meas Saran WRI, A11-12, 18; **D2/15** Touch Soeuli WRI, A28.

1201 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 1624 [entered S-21 on 21 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 11 [executed 8 December 1977]; **D1.3.28.40** List of Prisoners Who Were Smashed and Photographed on 8 Dec 1977, EN 00873280-81, KH 00009146 [Number 2 on list]; **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00224085; **D1.3.18.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D1.3.18.2** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession.
1202 See paras 349-350; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14156.

1203 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4797 [entered 28 April 1977, executed 13 March 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 24 (and No. 27 – duplicate); **D54/8** Dol Song WRI, A4-5 [“those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion [...] A5: They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings”]; **D54/104** Ek Ny WRI, A5 [“Yan was a member of Division 164. Yan was from the Southwest Zone in charge of three battalions: Battalion 170, Battalion 180 and Battalion 132. These three battalions were under a regiment [...] Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoek, Chhan, Yan and Doem were traitors’”]; **D54/115** Neak Yoeun WRI, A13, 15, 18-19, 22-24 [Explaining how the arrest of Yan was made secretly and

how Meas Muth and Nhan asked participants to a study session to specifically answer biographical questions to determine who had been close to Yan in the past]; **D54/102** Ek Ny WRI, A1 ["In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names *A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim*. I remembered hearing Meas Muth calling these men's names starting with the word '*A* (the contemptible)' because '*A*' was the derogatory word for use on the traitors"]; **D114/139** Nguon Lay alias Y WRI, A23 [explains that Yan and Nhan were respectively political commissar and commander of Regiment 63]; **D114/116** Svay Saman WRI, A26-33 [explains that Mom Yan, Regiment 63 commander, disappeared in 1977]; **D114/178** Oem Sokhan WRI, A35 ["The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island near Ream"]; **D54/81** Hing Uch WRI, A14 ["Later Yan also came in to take charge of Division 164 with Uncle Mut. He was a former commander of Regiment 63. I did not know where he went after that. Later Saroeun came in to replace Yan. Saroeun was from Regiment 140 and probably replaced Ta Yan"]; **D114/95** Yoem Sroeung WRI, A64, 67, 226 ["They were Nget, Dim, Yam, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA [...] A67: I knew those people were called away, and two or three days later Regiment 140 Chairman Han told us in a meeting that those persons were enemies burrowing from within [...] A226: My commander Han told me about this. All of them were considered traitors within the army's ranks"]; **D114/18** Mak Chhoeun WRI, A6 ["Later, in 1976 [...] Ta Yan was transferred to another place and Ta Chorn became the commander of my regiment [63]].

1204 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 5342 [entered 2 June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 26; **D1.3.5.5** S-21 Name List of cadres of Division 164, KH 00159970 [two are marked as being already arrested]; **D54/8** Dol Song WRI, A4-5 ["those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion [...] A5: They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings"]; **D54/104** Ek Ny WRI, A4 ["Men Nget was a member of Division 164. He was arrested"]; **D114/95** Yoem Sroeung WRI, A64, 67, 226; **D54/7** Dol Song WRI, A8 ["Nget was the Political Chairman of Regiment 20; he was arrested during the purge period in around 1977"]; **D54/10** Meu Ret alias Saret WRI, A5 ["The deputy commander was Nget [...] he later disappeared from the division"]; **D2/8** Say Born WRI, A44-45 [Nget was the commander of Regiment 20/61]; **D114/89** Seng Sin WRI, A15 [Nget was a Division 164 member].

1205 About Doctor Some Neam alias Sokh: **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13137 [Sokh died / was executed on 4 May 1977]; **D114/241** Chheng Cheang WRI, A61 ["Ta Sokh was a doctor in Kampong Som"]; **D54/104** Ek Ny WRI, A5 ["Yan was among traitors whose names were made a rhyme by Ta Mut, 'Nhoek, Chhan, Yan and Doem were traitors'"]; **D114/95** Yoem Sroeung WRI, A64 ["They were Nget, Dim, Yam, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA"]; **D114/155** Sok Ren WRI, A61 [both Doctor Sokh and his wife died]. Prior to his transfer to S-21, Sokh was imprisoned at Toek Sap security centre, according to Iem Phong and Meas Saran: **D114/130** Iem Phong WRI, A109 ["They detained Ta Sokh at Tuek Sab Prison. He was Khmer Rouge medical staff. He used to be the chief of surgery at Kampong Som"]; **D54/117** Meas Saran WRI, A11-12, 18 ["about the hospital in Chamkar Chek. Who was the chairman of the hospital? A11: The chairman was Sokh [...] A12: He worked there for a few months. In late 1975, he was arrested and imprisoned at Tuek Sab Bridge [...] Hao came to replace Sokh at the beginning of 1976 [...] A18: I was sent to a cooperative where Sokh's children were. Sokh's children told me that Sokh and his wife had been arrested and imprisoned at Tuek Sab Bridge"]; **D114/32** Meas Saran WRI, A8 ["Hao was the hospital chairperson. Hao replaced Sokh and became hospital chairperson after they arrested Sokh"]. His wife Hem Ang alias Sin was similarly purged and executed at S-21: **D114/230.1.1** OCIJ S-21 Prisoner List, No. 7383 [female medic Hem Ang alias Sin, identified as the wife of Secretary Sok – entered 26 or 28 April 1977, executed 29 April 1978]; **D1.3.28.19** S-21 Interrogation List, EN 01226578 [Entry 1 - Hem Ang alias Sin, Politics of Company, Division Medic, Wife of *A Sok*; date of entry: 26 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, Number 10; **D54/104** Ek Ny WRI, A2 ["Q: Could you tell us what you know about Hem Ang alias Sin at Number 89? A2: I knew Sin. She was married to Doctor Sok who was a medical doctor in Division 164. During that time, I heard from soldiers in my unit saying that they saw Doctor Sok being shackled and detained in a mill in Smach Daeng Pagoda"]. Following the arrest of Sokh and Hem Ang alias Sin, their children were put to work at Put Te worksite then were taken away by soldiers and disappeared: **D54/117** Meas Saran WRI, A18-21, 23 ["Sokh's children told me that Sokh and his wife had been arrested and imprisoned at Tuek Sab Bridge [...] A19: Sokh's oldest daughter was Chan. I do not know his son's name, but his other two children living with him were Bun and Sarim [...]

- A20: Later these four children were assigned to help carry something for a short while. They were told they did not need to change their clothes, and then they just disappeared. Most of the people sent to Put Te Cooperative were considered to be involved [with traitors [...]] A21: I am not sure if they were taken to be killed or if something else may have happened to them [...]] A23: Some soldiers came to escort them away in their muddy dirty clothes immediately after they had come back from the rice field”].
- 1206 In addition to Yan and Nget, Regiment 140 Commander Sam and Regiment 62 deputy Commander Sann Seap alias Sam were imprisoned and executed at S-21: Regiment 140 Commander Sam: D114/230.1.1 OCIJ S-21 Prisoner List, No. 14561; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 39; **D1.3.1.8** S-21 Confession, 13 Jul 1976; Regiment 62 Deputy Commander Sann Seap alias Sam: D114/230.1.1 OCIJ S-21 Prisoner List, No. 8176; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 40 [entered April 1977, executed 19 September 1977]; **D1.3.28.40** List of Prisoners Smashed on 19 Sep 1977, KH 00009083-85, EN 00873165-73 [No. 17 – San Seap entered in April 1977]; **D1.3.28.49** S-21 Interrogation Log [No. 18 – recording that San Seap entered on the 21st]; **D1.3.28.27** S-21 Interrogation Log for Division 164 [No. 3 – indicating Sann Seap entered on 21 May 1977]; **D114/95** Yoem Sroeung WRI, A64 [“They were Nget, Dim, Yam, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA”].
- 1207 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 450 [Chhun Lun alias Sam-At, Political Battalion – entered 29 Jun 1976], 2368 [Kung Kien alias Eung or Oeng or Ing Vet, Battalion 631 Secretary, Regiment 63 – entered April 1977, executed 13 March 1978], 3223 [Kun Dim, Battalion 141 Deputy Secretary – 20 or 25 April 1977], 3994 [Kung Sean alias San, Battalion 142 Secretary – entered 27 or 28 April 1977, died of disease 14 February 1978], 4159 [Nop Norn, Battalion 621 Secretary – entered 24 May 1977], 7207 [Pen Ham, Battalion 170 Secretary – entered 28 April 1977, died of disease 14 February 1978], 7526 [Chock Sreng, Battalion Secretary – entered 11 April 1977, died of disease 14 February 1978], 7546 [Nguon Lakk alias Sarat, Battalion 170 Member – entered 28 April 1977, executed 13 March 1978], 13155 [Sek Phieng, Battalion 613 Deputy Secretary – entered 23 April 1977, died of disease 14 February 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, Nos 6 [identifying Chhun Lun as Battalion 165 Deputy Secretary], 8, 16 (and duplicate 18), 17 [Kun Dim executed 19 September 1977], 20, 30, 34, 36; **D54/8** Dol Song WRI, A4 [“those arrested were: [...] Vet, Commander of my battalion”]; **D114/85** Chet Bunna WRI, A14-16 [explains that Pen Ham was arrested after Chhan and Dim], A18 [explains that everyone was aware of the arrest of Kung Kien alias Ing Vet as he was prominent figure], A28-29 [mentions that Kun Dim was “from Battalion 141 of Regiment 140. He came from Sector 22 of the East Zone [...] A29: he was arrested in total secrecy”]; **D54/104** Ek Ny WRI, A3 [“Vet was the Battalion 631 Chairman [...] Vet was in the army, stationed in Kang Keng Airport, but he was arrested [...] I believe that he is dead because Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous”], A6 [explains that Nop Norn was posted on Koh Poulo Wai and was either the commissioner of Battalion 621 or 622]; **D114/139** Nguon Kay alias Y WRI, A36, 65-66, 74, 77 [“I only know about Koh Seh Island. It was in Battalion 31. Veth was the one who stayed there, but he has died already [...] A65: [Veth] was arrested [...] A66: I heard people say that he had been arrested when he went to a seminar. When he went to the mainland in order to take part to in the seminar, I transported him and his fellows there [...] Q: Regarding the senior leaders, like Veth, who were called for the seminars, did they return? A74: Only this man never returned [...] Q: Do you know if he was arrested at that time? [...] A77: Well, I heard about it when those who had attended the seminar returned home”]; **D1.3.18.4** Kung Kien alias Ing Vet S-21 Confession (Secretary of Battalion 631), EN 00822048, KH 00017305, FR 00825431 [bears an annotation dated 23 May 1977 stating “Most people are related to the unit of Comrade Mut, while some others are related to 33 + 35”]; **D4.1.1066** Pen Ham (Paen Ham) S-21 Confession, EN 00822394-95, KH 00174141, FR 00966819 [Bears the following annotation: “This contemptible person is the network of contemptible Nhoek, the contemptible Chhan and Suon, Secretary of District 52, Sector 33”, another annotation states: “1. This document is pertinent to [...] The division of Comrade Mut [...] 3. Some important persons in the division of Comrade Mut are named. Our side will sort them out”].
- 1208 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 1273 [Chet Kim Chhoeun alias Kim Eng – entered 15 June 1976], 4160 [Sok Oeun, Secretary of Company 22, Battalion 611 – 24 May 1977], 6402 [Ouch Chann Thol or Than – 31 May or 1 June 1976], 6876 [Peou Chhean alias Bunny, Company Commander – 29 June 1976], 8618 [Soeng Krin alias Nguon, Company Commander – 18 December 1976], 9876 [So Sokhom – 31 May or 1 June 1976], 10571 [Sem Sot – 15 or 16 June 1976], 13381 [Vong Loeng alias Than, Platoon Commander – 15 June 1976], 13675 [Ken Khon – entered 29 July 1976, executed 31 August 1976], 13870 [Yim Savuth alias Meng – 31 May or 1 June 1976].

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As regards to direct subordinates, *see* for example: **D54/115** Neak Yoeun WRI, A13, 15, 18, 22-24 ["I stayed and worked on land in Kang Keng under Yan. Yan later on disappeared, and when I asked them [leader] about Yan disappearance, they [leader] told me to stop asking about Yan anymore. After that they sent me to study in Kampong Som. Those who were sent to study had to complete the biography form, in which we were asked to report whether or not we had worked under Yan previously. As for me, I was in the same regiment with him, but I was not under his direct command [...] A15: At that time there was a study session which lasted for five days. In that study session, they asked us to make the biography. Cadres of the division included Ta Nhan and Ta Muth who ordered us to make the biography [...] A18: I assumed that the goal of that study session was for them to look for and arrest any ones who had had the connection with Yan in the past [...] A19: There was a slogan saying 'if we clear grass, we must root it out'. The arrest of Yan was done in a secret manner, and only those close to Yan could know about that. Because of that, it made me think that they were also looking to arrest those who used to be close to Yan [...] A22: But on the last day of the study session, during the hours we were making the biography there were questions asking us about that. One of the questions asked if anyone of us had ever worked with Yan in the past [...] A23: During the hours we were making the biography on the closing day, Meas Muth was the teacher. He read all questions in the form to the attendees. He explained all the questions in the biographical form to the attendees and told us what we had to [...] Q: To your knowledge, did any attendees disappear after that study session? A24: Based on my observation, three to four persons, who used to work directly under Yan, disappeared. But I did not know their names. What I knew was that after Yan's disappearance, some people who used to be close to him were sent to work in different units in Kampong Som. The goal of the study session and of making the biography was to screen for those persons"]; Regarding the wife, children and siblings: **D54/8** Dol Song WRI, A3 ["if the regimental chairman was arrested, his wife and family would also be arrested. However, I did not know what they did to those arrestees afterwards. In general, at that time, once arrested, the person would disappear forever. If a soldier was removed from his unit, he might be sent to work at another place. If a soldier was arrested, he would disappear. As I previously mentioned, if a regimental commander was arrested and accused of being a traitor, or a KGB or CIA agent, his wife, children, messenger and close acquaintances would also be arrested. In particular this applied to people accused of having connections with the Vietnamese"]. About the purge of wives of Division 164 cadres (including those who were themselves members of Division 164) after the arrest of their husbands, *see* **D54/117** Meas Saran WRI, A7-8 [Female Division 164 hospital medic forcibly married in late 1975 to another Division 164 soldier Chhan alias Ing or Tim who was later considered as a traitor and arrested; she was then sent to work in rice fields then at the Put The cooperative and in mobile units]; **D114/32** Meas Saran WRI, A69, 74, 77-78, 124 ["Comrade Pung, who was also from my hometown, told me that my husband had been arrested, but he told me not to tell anyone. About 10 days later, they took me to work in rice fields [...] A74: I heard a rumour that they took him to Tuek Sab in Kampong Som [...] A77: I thought they sent me to work at the rice field worksite because they had arrested my husband. Q: Did you think that was the punishment for the wife of an arrested soldier? A78: Yes, it was punishment [...] Q: Did Ta Yan remain in charge of the division? A124: When they transported me to Put Te Cooperative, I met his wife there and she told me that they had detained Ta Yan in Tuol Sleng Prison or Kraing Slaeng Prison"]; **D114/185** Chet Bunna WRI, A29 ["Ta Dim was Meas Muth's deputy. Kun Dim [was in Battalion 141] [...] When he disappeared, his wife and children also went missing"]. *See also* fn. 1205 describing how Hem Ang alias Sin (Division 164 medic), the wife of Sokh, Division 164 hospital chairman, was purged after her husband was arrested and how their four children were similarly arrested and disappeared.

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See paras 349, 355; **D114/85** Chet Bunna WRI, A19 ["They had to arrest all of the people who were under Dim's and Chhan's command, and this arrest was also made public"].

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His father was called either Chey Suon or Norng Suon (**D4.1.26** Chey Suon alias Non Suon alias Saen S-21 Confession, former Minister of Agriculture), hence the two names used by Ta Chhan as well: **D114/85** Chet Bunna WRI, A10 ["Probably in late 1976 or early 1977, Meas Muth declared that Chey Chhan, who was the son of Chey Suon or Norng Suon, and who was the Minister for Economics, was a traitor who worked for the Vietnamese"]; **D54/29** Liet Lan (Nam Lan) WRI, A24 ["Chhan was Norng Suon's nephew. He became a member of Division 164 after Dim's arrival. Chhan was a military commander operating along both sides of National Road No.4 along the section between Kampong Seila and Kampong Som from 1971 to 1975. The area was called Sector 37 then"]; **D2/9** Say Born WRI, A30-31 ["After the reorganizing, the chief of the Division 164 was Mr. Mut, Mr. Dim from the East Zone became the deputy, and Chhan was the member [...] A31: Chhan here is referred to Suon Chhan"]; **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016,

- 11.09.02-11.11.45 [“Chhan was his revolutionary name. His native name was Chey Han. Chey Han alias Chhan, who was the deputy secretary of Division 164, who worked with Brother Mut [...] Chhan's father, or Chey Han's father, was Non Suon alias Chey Suon”]; **D114/33** Hen Ang WRI, A13 [Chey Chhan]; The S-21 records mention the name Chey Han alias Chhan: **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14156 [Chey Han alias Chhann, entered S-21 in Nov 1976]; **D114/145.1.1** Chey Han alias Chhan S-21 Confession; Most witnesses knew him either as Ta Chhan or Norng Chhan: **D114/89** Seng Sin WRI, A15, 60 [“In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting”]; **D54/10** Meu Ret alias Saret WRI, A7-8; **D114/261** Chum Chy WRI, A34; **D54/98** Heang Ret WRI, A28; **D114/104** Iem Phong WRI, A168-A172.
- 1212 **D114/104** Iem Phong WRI, A36 [“Q: On 17 April 1975 when Phnom Penh was taken over, what was your commander's name? A36: He was Ta Chhan. He was in charge of the Sector Committee, and he was also Sector Military Commander”]; **D114/33** Hen Ang WRI, A13, 35; **D114/226** Kim Hav WRI, A22, A30-32 [Chhan was in the Sector 37 in charge of the soldiers and in charge of Krong Preah Sihanouk City]; **D114/140** Chea Phon WRI, A10-12 [In Prey Nub District, Sector 37 the sector chief of staff was Chhan]; **D114/155** Sok Ren WRI, A67 [“I knew Ta Dim, Ta Yan and Ta Chhan. Ta Chhan served in Division 164 and he used to be a commander in chief of Sector 37 Military”]; **D54/10** Meu Ret WRI, A7-8.
- 1213 **D114/33** Hen Ang WRI, A9 [Battalion 385 was in Sector 37]; **D114/226** Kim Hav WRI, A21-25, 30 [describes Sector 37's Battalion 385]; **D114/120** Oum It WRI, A37 [Explains that Battalion 388 was a female battalion within Sector 37]; **D54/12** Pres Mean WRI, A5 [Explains there were many units such as Battalions 385, 386, 387, and 388 in Sector 37 before 17 April 1975].
- 1214 For example, **D114/140** Chea Phon WRI, A3-5, 19-20 [explains that Battalion 387 was transferred to Koh Kong and became Battalion 303 under Sector 11 in the West Zone]; **D114/33** Hen Ang WRI, A26 [Part of Battalion 385 was sent to Ou Chamnar, Prey Nob district, West Zone; discusses arrest and detention at Koh Kyang security centre, West Zone]; **D114/120** Oum It WRI, A19.
- 1215 **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249693-94 [“The Southwest region command created the 3rd division from elements of Sector 37 and independent southwestern region battalions [...] At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream. The Division had four subordinate regiments numbered 37, 14, 15 and 16. The 37th Regiment was designated as such because it was made up of forces from Sector 37”]; **D114/260** Sorn Soth WRI, A6-9 [“Q: Who else were the Commanders in Battalion 386? A6: Suon Chhan was also a commander. He was the top leader; he was in charge of the regiment [...] Initially, he was in the battalion. But later, he was promoted to the regiment. In 1975, he was promoted to Brigade 3 of Division 164. Q: You said that Suon Chhan was promoted to be the commander of the regiment in Division 164. To what regiment are you referring? A7: I'm referring to Regiment 21 [...] Q: Please describe the leadership in Company 420. A9: Battalion 386 had three other [companies] namely 408, 409 and 420”]; **D114/113** Koen Men WRI, A179-182 [“Q: When you were based on Koh Tang Island, do you know how many of the soldiers were from Sector 37? A179: Brother Chhan and his entire regiment, comprised of 3 battalions, came with me. However, I do not know where those soldiers were deployed to. They were assigned to be stationed at various places. Q: Were they all from Sector 37? A180: Yes, they were. All of Brother Chhan's troops were from Sector 37”]; **D114/282** Ek Ny WRI, A14, 21 [“Two companies of Battalion 386 and two companies of Division 3 stayed together on Koh Ses Island [...] A21: The soldiers from the sector's army [37] and Division 3 were sent to Koh Polou Wai Island, Koh Polou Wai Thmei (New Polou Wai) Island, Koh Polou Wai Chas (Old Polou Wai) Island, Koh Rong Sanloem, Koh Rong Thom (Big Rong) Island, Koh M'noas Island, and Koh Tang Island. The rest of the forces were stationed on the mainland and worked on the naval boats”]; **D54/77** Uy Nhik WRI, A6 [“Around two weeks after liberation, Battalion 386 as a whole was deployed on Koh Rong Island, Koh Poulo Wai Island and Koh Tang and Koh Pring islands”]; **D114/104** Iem Phong WRI, A39; **D114/31** Moul Chhin WRI, A23 [“We, Battalion 336, knew the geographical area clearly, so they stationed us on the islands of Koh Rong Fa and Koh Rong Sanloem”].
- 1216 See para. 212, fns 586-588; **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249693-94 [“The Southwest region command created the 3rd division from elements of Sector 37 and independent southwestern region battalions [...] At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream. The Division had four subordinate regiments numbered 37, 14, 15 and 16. The 37th Regiment was designated as such because it was made up of forces from Sector 37”], EN 00249695 [“The command committee of the 3rd division included: Chhan – Division Commander, he was in command during the Mayaguez Incident but was

in Kampong Som and Ream”]; **D114/264** Chum Chy WRI, A36 [“Q: If these forces were a combination of Division 164/Division 3 and Sector 37 military units of organization, under whose overall command was this operation carried out? A36: Everything was under the overall command of Meas Muth”]; **D114/178** Oem Sokhan WRI, A7 [“Q: Sector 37 forces were integrated into Division 3. A7: Yes”]; **D114/282** Ek Ny WRI, A6-7, 9; **D54/109** Sam Sao WRI, A3; **D114/89** Seng Sin WRI, A8; **D114/261** Chum Chy WRI, A2; **D114/282** Ek Ny WRI, A13; **D114/104** Iem Phong WRI, A30, 39; **D54/76** Uy Nhik WRI, A8-9; **D114/155** Sok Ren WRI, A64; **D114/66** Chet Bunna WRI, A19; **D4.1.754** Unknown DK Cadre US POW/MIA Statement, EN 00387427, 29; **D4.1.752** Unknown US POW/MIA Statement, EN 00387361; **D4.1.757** Unknown US POW/MIA Statement, EN 00387364-65.

1217 Most sources identify Chhan as one of two deputy commanders of Division 164 (the first being Dim), a few others refer to him as member of the Division 164 Committee (and of Division 3 for the period following the merging between Division 3 and Chhan’s Sector 37 forces, including Battalion 386): **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016, 11.09.02-11.11.45 [“Chey Han alias Chhan, who was the deputy secretary of Division 164, who worked with Brother Mut”]; **D114/159** Kaing Guek Eav alias Duch WRI, A3 [“The most important person arrested from Kampong Som was Sao Chhan alias Han, who was the son of Norng Suon. I would like to correct the name. It was Chey Han alias Chhan”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.04.35 [mentions that the members of Division Committee were Meas Muth, Dim, Chhan and Nhan]; **D54/87** Prum Sarat WRI, A86 [“Meas Mut, was Division 164 Commander for Political Affairs. Dim was Division Deputy Commander for Military Affairs. Chhan was a Deputy Commander. Nhan was responsible for Logistics”]; **D114/79** Kang Sum WRI, A267, 269 [“Q: Who were the Deputy Commanders of the Division? A: Ta Dim and Ta Chhan were [...] A269: Ta Chhan was Deputy Commander of the Division”]; **D54/98** Heang Ret WRI, A28 [“When Division 3 was re-designated Division 164 in Kampong Som, Meas Muth was the commander. The deputy commanders were often changed, including Ta Rin, Ta Chhan, and Ta Dim”]; **D114/65** Chet Bunna WRI, A9, 12 [“There were two other deputies under [Meas Muth] namely Chhan and Dim [...] A12: There were two other deputies under him namely Chhan and Dim. Dim was Meas Muth’s 1st deputy”]; **D54/10** Meu Ret alias Saret WRI, A7 [“After Division 3 was re-designated Division 164, there was a man named Ta Chhan from Sector 37’s Koh Kong, and this two battalion-strong military unit merged with Division 164. Ta Chhan became a deputy commander of the division”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387462, KH 00742596 [“The 3rd division political officer was ((Meas)) Mut, the division operations officer was ((Dum)) (deceased) and the deputy division commander was ((Chhan))”]; **D114/241** Chheng Cheang WRI, A87 [“Chhan was the deputy chief”]; **D114/89** Seng Sin WRI, A15 [“In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander and Nget was a member”]; **D114/104** Iem Phong WRI, A168 [“Ta Chhan was at Division 3 level. He was division chairman under Ta Muth”]; **D114/261** Chum Chy WRI, A34; **D54/81** Hing Uch WRI, A14 [“The commander of Division 3 was Uncle Mut [...] Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province”]; **D4.1.747** Aek Ny US POW/MIA Statement, EN 00387291, KH 00640517 [“((Nong)) Chhan, was the political officer for the 3rd division”]; **D2/9** Say Born WRI, A30 [“After the reorganizing, the chief of the Division 164 was Mr. Mut, Mr. Dim from the East Zone became the deputy, and Chhan was the member”]; **D114/113** Koem Men WRI, A31 [“After deploying soldiers to the islands, they re-organized the division. Then there was Division 164. Meas Muth was the Division Commander, Dim (from Prey Veng Province) was his deputy and Chhan was a member”]; **D54/17** Say Born WRI, A6-7, 10 [“The meetings of regimental level chairmen were held in Meas Mut’s headquarters. Q: Who were the instructors? A7: In late 1975 and early 1976, Dim and Chhan from the division were the instructors [...] A10: The political commander, meaning Meas Mut, had to teach political affairs, ideology, and organization. The military commander, meaning Dim, had to teach military combat techniques; the logistics commander, meaning Chhan, was responsible for weapons and equipment, food supply, and healthcare”].

1218 See **VIII.D. S-21 Security Centre**: Meas Muth not only knew of the existence of S-21, received S-21 confessions and read them to Division 164 cadres, but his approval and active participation was also necessary to arrest and transfer someone from his Division (164) to Phnom Penh then to S-21.

1219 **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016, 11.09.02-11.11.45 [Describes how Chhan was temporarily reassigned to the General Staff because the Party suspected him and how he was placed under the surveillance of Nat], 11.17.05-11.19.30 [According to Duch, Chhan did not deserve to be a military commander as he was “guilty of certain things” and “liked to make jokes”; that is why he was under

surveillance and was re-assigned from the position of “deputy secretary of Division 164 to be an assistant to the General Staff”].

1220 **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016, 11.06.18-11.09.02 [explains how Son Sen convened him at a meeting to inform him that “the Party required us to arrest Chhan, the son of Brother Non Suon” and how they decided to arrest him at Duch’s residence after asking him to collect photographs and bring back a weapon he had borrowed from Duch]; **D234/2.1.121** Kaing Guek Eav alias Duch, T. 21 Jun 2016, 11.04.18-11.07.16 [“I could call some prisoners and arrest them on the spot, for example, Comrade Chey Han alias Chhan [...] After the decision was made by the Party, I called Comrade Chhan to my house and he was arrested there”].

1221 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14156 [Chey Han alias Chhann, entered S-21 in November 1976]; **D114/145.1.1** Chey Han alias Chhan S-21 Confession, EN 01191572, KH 01176817 [contains annotations by interrogator Pon dated 19 October 1976, which establishes that he was arrested before his father and before November 1976, as mentioned in D114/230.1.1], EN 01191539, KH 01176685 [third interrogation was conducted on 24 October 1976]. *See also* other Case 003 references for Chey Han alias Chhan’s S-21 confessions: **D22.2.42**, **D22.2.26**, **D22.2.30**, **D22.2.46**, **D22.2.39**, **D22.2.37**, **D22.2.28**, **D22.2.33**, **D22.2.23**, **D22.2.31**, **D22.2.32**, **D22.2.45**, **D22.2.41**, **D22.2.35**, **D22.2.43**, **D22.2.47**, **D22.2.38**, **D22.2.36**, **D22.2.44**, **D22.2.29**, **D22.2.25**, **D22.2.40**, **D22.2.34**, **D22.2.24**, **D22.2.27**; **D54/104** Ek Ny WRI, A10 [“I saw trucks which were fully covered, transporting prisoners to the east towards Phnom Penh at 3 p.m. every day. One day before my unit was disarmed and after Doem disappeared, I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested. In 1979, I just realized that S-21 and Boeng Cheung Ek were a prison and an execution site”]; **D114/282** Ek Ny WRI, A11 [“Brother Chhan was directly below Ta Muth. Ta Muth arrested and took him to be killed at Boeng Cheung Ek Phnom Penh”]; **D114/226** Kim Hav WRI, A82-85 [“[Chhan] died in 1977 [...] A83: He died when Pol Pot called him to be re-educated. He was taken to be killed. He was told to go to study, and he disappeared. Q: Who came to call him to go to be re-educated? A84: The zone group [...] A85: At that time, when we heard that one person was called to go to be re-educated, it meant that the person would be taken to be killed”]; **D114/113** Koen Men WRI, A126, 258 [“In 1977 [...] Brother Dim returned to the General Staff in Phnom Penh, and Chhan also returned to Phnom Penh. Chhan was originally from Sector 37, but was then transferred to the General Staff in Phnom Penh [...] A258: They might have lied to me when they said that Ta Chhan was taken to work at the General Staff in Phnom Penh”]; **D114/130** Iem Phong WRI, A28 [“Since [Chhan] did not have enough forces, he prepared his ship to go to Koh Rong Island. While he was en route at sea, they captured him and sent him to Tuol Sleng Prison”]. *See also* **D54/10** Meu Ret WRI, A7-8 [“Ta Chhan became a deputy commander of the division. Q: Do you know what happened to Chhan in 1976? A8: I heard that Ta Chhan had become a traitor and was removed; he then disappeared”]; **D69.2.20** BBC SWB, *Far Eastern Relations*, 14 Oct 1978, EN S 00013194, KH S 00810138, FR S 00793509 [Hun Sen, speaking of internal purges and elimination of CPK members: “After them were Chhan, commander of the 164th division stationed in Kampong Som, and Dum, political commissar of the division”].

1222 **D54/101** Ek Ny WRI, A9 (correction 16) [“It was Rem, who was the political commissar of Battalion 386, who was shot dead in front of Wat En Ta Nhean Pagoda”]; **D114/244** In Yoeu WRI, A12-13, 16 [“Before the fall of Phnom Penh, I was in the Sector 37 working as a physician in Battalion 386. Q: What was the name of your battalion commander at that time? A13: The commander of Battalion 386 was Yean [...] A16: The deputy commander was Rem”]; **D114/40** Moul Chhin WRI, A74 [“Yean was Battalion 386 commander”]; **D54/12** Pres Mean WRI, A16 [“it was that Yeun. He used to be the deputy commander of Battalion 386 while Rem was the commander”]; **D114/194** Sorn Sot WRI, A15, 17-18 [“Do you know Rem, who was a political commissioner for Battalion 386? A15: Yes, I do. I remember Rem and Suon Chhan [...] They were in charge of Battalion 386 and the sector military as a whole [...] A17: Our group was accused being the traitors. The entire Sector 37 military was accused of being the traitors. It was Ta Muth's group that made the arrests. Q: Do you still remember Rem's arrest? A18: Yes, I do. He was not the only person who got arrested. Everyone in senior positions, from commanders down to group chiefs was also arrested”]; **D54/77** Uy Nhik WRI, A3 [“I have forgotten the name of the [Battalion 386] commander, but I can recall the name of the deputy commander, Yean, when this battalion evacuated people out of Kampong Som”]; **D114/31** Moul Chhin WRI, A91, 127-128 [cites Yean, Rem and Suor as the commanders as those who were taken away and killed under the pretext that they were being taken to study]; **D114/155** Sok Ren WRI, A62 [“I have lost contact with a

few other people whom I knew such as Bang Rem, a commander of a navy regiment who was attached to Sector 37 [...] Bang Yeun was arrested and killed. Ek Ny knows about the arrest [...] Yean and Trea were killed. Yeun was in charge of a battalion. I am not sure if all of them were arrested and reeducated at Stueng Hav, I just know that they were arrested and then disappeared. I don't know whether or not they were taken to be killed. They just disappeared and we never saw them again"; **D114/105** Koch Tuy WRI, A18 ["Ta Yeun was the Battalion Commander. Ta Yean was his Deputy. Both of them are deceased. They were called to attend the study sessions in Kampong Som Province"]; **D54/25** Pak Sok WRI, A21 ["Ta Yeun alias Yoeun, the commander of my battalion, Battalion 622"]; **D114/116** Uy Nhik (Nhoek) WRI, A49 ["One of my elder brothers, Yean, who was abattalion deputy commander, was sent to help soldiers' families with the harvesting work near Kang Keng, and he disappeared at that time"].

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D114/105 Koch Tuy WRI, A18 ["I was in Battalion 86. Ta Yeun was the Battalion Commander. Ta Yean was his Deputy. Both of them are deceased. They were called to attend the study sessions in Kampong Som Province"]; **D114/194** Sorn Sot WRI, A5, 17-19 ["The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector [37] were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. Anyone who refused to follow the order was killed. In general, Ta Muth was the person who issued the orders [...] A17: Our group was accused being the traitors. The entire Sector 37 military was accused of being the traitors. It was Ta Muth's group that made the arrests [...] A18: Everyone in senior positions, from commanders down to group chiefs was also arrested [...] A19: That happened from late 1976"]; **D54/102** Ek Ny WRI, A14 ["The Special Unit was like the bodyguard unit. It was the unit trusted by the leader. They used soldiers in this Unit to arrest the traitors and to do other important works. When they wanted to arrest those at the battalion and regiment levels, they sent the soldiers of the Special Unit to the battalion and regiment bases to tell them that brother [commander] of Division called them to attend a meeting"]; **D54/103** Ek Ny WRI, A7-8, 10, 21-22 ["Ta Muth came to attend a meeting after we were disarmed. During that time, he announced in the meeting that Chhan was a traitor, and former soldiers of [Unit] 86 (386) did not deserve trust. After the arrest of Chhan, the leadership including the political commissar and the commanders of the battalions, companies and platoons were also arrested [...] A8: During that time, there were approximately 500 participants including about 100 former soldiers of Unit 86 (386) who had been disarmed. During that Ta Muth said in the meeting that everyone had to keep the former soldiers of Unit 86 under surveillance. He said that former soldiers were all in KGB and CIA networks. He said KGB and CIA networks had not been completely destroyed. They were hiding within our ranks, so we had to keep them under constant surveillance. Among more than 500 soldiers attending the meeting, they were all their soldiers, except the former Unit 368 soldiers. They came to keep us under surveillance [...] A10: Roughly 70 per cent of the [unit 386] leadership were arrested before the meeting, and the rest had to attend the meeting, and they were later arrested as well [...] Q: To your estimation, how many former Unit 386 soldiers went missing between 1975 and 1979? A21: During that time, there were more than 200 soldiers in Battalion 386. More than 50 per cent of the soldiers in the battalion, equating to more 100 soldiers, were arrested and disappeared [...] Q: Were there any soldiers with no-good elements and former Unit 386 soldiers who had been refashioned, sent back to their respective units before 1979? A22: To my knowledge, there were not any"]; **D54/76** Uy Nhik (Uy Nhoek) WRI, A16 ["Q: Why did they change the commander of your company [...] A16: At that time, they accused former soldiers of the Sector 37 and East Zone persons of having no-good tendencies. Even persons who had been sent for training in China were called back"]; **D114/31** Moul Chhin WRI, A16, 19, 91, 127-128 ["Chhan was the commander [...] Later Chhan was taken to be killed [...] A19: If I had had any status or position, such as company chairman, I surely would have been killed, since company commanders and above were taken away and killed under the pretext that they were being taken to study [...] A91: Every time battalion / regiment commanders were called away to study at the cinema in Kampong Som, they disappeared and we never saw them return [...] After months passed, they still did not return [...] Q: You stated that the battalion/regiment commanders disappeared. Can you provide their names? A127: Yean, Rem and Suor [...] A128: Chhan disappeared too. Generally speaking, all the commanders disappeared. Only ordinary soldiers survived"]; **D114/85** Chet Bunna WRI, A23 ["Only the arrests of Chhan and Dim were announced in public. The arrests of the low-level cadres who were under Chhan's and Dim's commands were not made public. We happened to know of the arrests of their subordinates through rumours"]; **D54/12** Pres Mean WRI, A30 ["Q: During that meeting did Ta Mut mention the names of any of the traitors? A30: Yes, he announced that Ta Nhoek the Sector 37 Secretary, Ta Pon on

the Sector 37 Committee, and Ta Chhan, also on the Sector 37 Committee (were traitors)"]; **D114/33** Hen Ang WRI, A32 ["After they accused the leaders of Sector 37 of being traitors, those who came from the Centre replaced them. And the former members of Sector 37 were demobilised and assigned to work"]; **D114/226** Kim Hav WRI, A91-93 ["Who else were taken to study? A91: Bang Suo, Bang Hen, Bang Set, Bang Horn, Bang Phal who were all chairpersons of regiments. Those who were taken to be reeducated were the big chiefs. They were regiment chief, one hundred member unit chiefs, and so on. Some of them were regiment chairpersons, deputy chairpersons, and secretaries. Q: Who was called to go to be re-educated first? A92: Om Chhan [...] A93: It was in early 1977. Maybe it was in February or March when arrests started. The zone soldiers came to arrest them. I did not know which zone"]; **D114/135** Nob Phan (Nub Phorn) WRI, A3-5 [Former Battalion 386, Company 420 member posted on Koh Tang explaining that in late 1976 his commanders were all sent to study and disappeared].

1224 Although Nhoek and other former Sector 37 leaders were not under Meas Muth's authority but in the West Zone in Koh Kong, their arrests followed Chhan's purge by Division 164. *See, e.g.,* **D4.1.1057** Meas Voeun alias Svay Voeun WRI, A1, 3 ["I went to work in Koh Kong province in December in 1976. A month after [...] Nhoek, the Sector 37 secretary, Ran (original name was Iv), the deputy sector secretary and Ev, the member in charge of the sector military, were removed [...] I knew they were sent to the Zone [...] A3: They just disappeared since then"]; **D114/241** Chheng Cheang WRI, A82, 87 ["I learnt by myself that Ta Nhoek and Ta Sari were already arrested [...] Ta Nhoek was the chief of the sector [37] committee [...] Sari was in charge of the military"]; **D54/12** Pres Mean WRI, A30 ["Q: During that meeting [at Stung Hav in mid-1977] did Ta Mut mention the names of any of the traitors? A30: Yes, he announced that Ta Nhoek, the Sector 37 Secretary, Ta Pon on the Sector 37 Committee, and Ta Chhan, also on the Sector 37 Committee (were traitors)"]; **D54/13** Pres Mean WRI, A2; **D54/102** Ek Ny WRI, A1 ["In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men's names starting with the word 'A (the contemptible)' because 'A' was the derogatory word for use on the traitors"]; **D54/104** Ek Ny WRI, A5. Regarding Chey Han alias Chhan's father, Chey Suon: **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016, 11.17.05-11.19.30 ["The children were arrested because of the mistakes committed by their fathers. I believe in Chhan's case, Chhan was arrested and somehow later on, Brother Chey Suon that is, the father, was arrested"]; **D4.1.26** Chey Suon alias Non Suon alias Saen S-21 Confession, 1 Nov 1976 [Entered S-21 a few weeks after his son Chhan; contains a 15 November 1976 note from interrogator Pon stating that, "Your detention was decided on/ by the Standing Committee of the Party Centre" (KH 00006320-21, FR 00757022, No EN)].

1225 **D54/101** Ek Ny WRI, A9-10 ["It was Rem, who was the political commissar of Battalion 386, who was shot dead in front of Wat En Ta Nhean Pagoda [...] A10: During that time the leadership of the Division had removed troops of Battalion 386 from the islands and from other places and sent them into a unit called the Production Unit. At that time I heard from the soldiers, who had been removed and sent to the Production Unit with me, saying that brother Rem, the former commander of Battalion 386, was shot dead in front of Wat Enta Nhean Pagoda. They told me that when the soldiers were ordering him to raise his hands, he resisted and punched them back. Those soldiers, who were arresting him, were from the Special Unit of Ta Mut. They were like Ta Mut's bodyguards and also known as his right hand unit. After punching those soldiers, Rem jumped out of the car and tried to flee. The soldiers promptly shot him in the head. He fell on the street in front of Wat Enta Nhean Pagoda and died instantly"]; **D54/102** Ek Ny WRI, A1, 3, 5 ["Rem was a native of Kang Keng village in Ream commune. The event in front of Wat Enta Nhean Pagoda took place in late 1976 toward the beginning of 1977. At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed, we were not allowed to possess even a knife [...] A3: Rem was killed later after this meeting [with Meas Muth]. After Rem was killed, his pregnant wife went to have an abortion because she wanted to show her loyalty and that she was a true revolutionary, who did not want to have any connection with Rem's blood [...] A5: heard about Rem's story through the other soldier because almost all the soldiers knew about Rem's story"].

1226 **D54/102** Ek Ny WRI, A3 ["Rem was killed later after this meeting [with Meas Muth]. After Rem was killed, his pregnant wife went to have an abortion because she wanted to show her loyalty and that she was a true revolutionary, who did not want to have any connection with Rem's blood"].

1227 **D54/103** Ek Ny WRI A10-11 ["Q: During the meeting when Meas Muth made the announcement, had the former political commissars and the former commanders of the battalions, companies and platoons of Unit 86

(386), already been arrested? Were they arrested before or after that meeting? A10: Roughly 70 per cent of the leadership were arrested before the meeting, and the rest had to attend the meeting, and they were later arrested as well. During the arrest, I recall that one company commander and one platoon commander committed suicide on Koh Tang Island. That company commander was the Company 42 Commander, called Th[oe]un, killed himself with a grenade in a trench where DK75 guns were placed, and the Platoon 41 Commander, called Bun Than, shot himself, when he was removed to a battalion. Q: Why did the company and platoon commanders commit suicide when they were called to go the battalion office? A11: During that time, the information about the arrest of the leadership of Unit 386, such as Rem, the commissioner, who was shot on his head in front of Wat En Ta Nhean Pagoda, Yoeun, the battalion commander; Yean, the member and Sarat who was in charge of the logistics, was spread among almost all of them. Therefore, when the battalion called Bun Than to the battalion office, he knew in advance that he would definitely have a problem. As for Thoeun, the Company 42 Commander, the battalion sent two messengers to stay with him to keep him under constant surveillance. Knowing this, he persuaded the messengers to go with him, to the trench where DK75 guns were stored. Then he threw a grenade. To my recollection, this event occurred before the arrest of the twenty women and before the disarmament”; **D114/260** Sorn Sot WRI, A13, 15 [About Company 420: “When he was about to be arrested, he threw a hand grenade to kill himself; I forget his name. It was Than who was in Unit 420. They wanted to arrest him. He committed a suicide [...] Q. Did you ever hear of Chan Bunthan? A 15: Yes, I did. However I do not remember much about him. If I am not mistaken, he might have shot himself to death. The one who threw the hand grenade to kill himself was another person in Unit of 100”]; **D114/178** Oem Sokhan WRI, A9-12 [“They said in a meeting that the Unit 37 commander had betrayed [...] A10: The division level controlled our sector in Kampong Som. That was why they searched for and arrested my company commander. They could not arrest him because he committed suicide. He committed suicide by shooting himself with a pistol, so they could not arrest him [...] A11: At that time, he was called in for a meeting at the battalion, and he went to the meeting. When he returned from the meeting, he suddenly shot himself. I do not remember his family name, but his name was Than [...] He had left Kampong Speu a long time before to take charge of the soldiers in Sector 37. He was the one who built the military unit and he became the commander. Q: Did you see this event first-hand? A12: Yes, I did. He was not arrested here. He was arrested on Koh Tang. I saw it first-hand. After he was arrested, he was stationed on Kaoh Tang. At that time all of the soldiers in the company were killed; he committed suicide by shooting himself. Another company commander also committed suicide by shooting himself. Both Than and Thoeun committed suicide, but they were in charge of different units; one was in charge of Company 419 and the other was in charge of Company 418”]; **D114/105** Koch Tuy WRI, A18 [“I was in Battalion 86. Ta Yeun was the Battalion Commander. Ta Yean was his Deputy. Both of them are deceased. They were called to attend the study sessions in Kampong Som Province. I was in the Unit of 100, Unit 12, whose chief and deputy were Chab Leap and Bun Thoeun respectively. They all killed themselves by blowing themselves up on with grenade on the island”], A29 [explains he was removed from Koh Tang following the suicide of his chiefs in late 1976 or early 1977]; **D114/89** Seng Sin WRI, A15, 37 [Former battalion 386 soldier posted on Koh Tang in the company headed by Thoeun, Battalion 623, Regiment 62: “In Company 2, Bun Thoeun was the commander and Bun Than was the deputy [...] A37: I know that both of my commanders committed suicide. Bun Thoeun killed himself with a bomb. Bun Thorn shot himself”]; **D114/130** Iem Phong WRI, A62 [“after Ta Chhan was arrested, some of those soldiers [on Koh Tang] committed suicide by hanging, shooting, and grenading themselves”].

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D114/85 Chet Bunna WRI, A10, 21, 23-24, 26, 34 [“in late 1976 or early 1977, Meas Muth declared that Chey Chhan, who was the son of Chey Suon or Norng Suon [...] was a traitor who worked for the Vietnamese. It was announced that Dim was accused being a traitor and arrested at the same time [...] A21: the announcement was made on the Victory Commemoration Day of the 17 April, and was made in front of Division 164. The announcement was given at the far end of Au Chheour Teal Beach, where the Headquarters of the Navy was located [...] A23: On that day, Meas Muth was the sole person who spoke before about 1,000 soldiers from Naval Division 164 and the relevant offices in the Division, such as the medical, transportation and logistics units [...] Amongst other matters, Meas Muth also announced that Chhan and Dim had been arrested for traitorous activities. To the best of my recollection, Chhan was arrested before Dim was. Only the arrests of Chhan and Dim were announced in public. The arrests of the low-level cadres who were under Chhan's and Dim's commands were not made public [...] A24: The meeting was held in the morning of 17 April [...] A26: only Chhan's and Dim's arrests were announced. I did not know how long they had been under arrest for before the meeting [...] A34: Meas Muth said that Dim and Chhan had

plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”]; **D114/95** Yoem Sroeng WRI, A64 [“They were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA”]; **D54/102** Ek Ny WRI, A1 [“in late 1976 toward the beginning of 1977 [...] they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim”]; **D54/104** Ek Ny WRI, A3, 5, 9 [“Vet was in the army, stationed in Kang Keng Airport, but he was arrested [...] I believe that he is dead because Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous [...] A5: Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoek, Chhan, Yan and Doem were traitors.’ [...] A9: I think the name Doem in this document is Doem whom I have mentioned earlier regarding the rhyme, Contemptible Nhoek, Contemptible Chhan, Contemptible Yan and Contemptible Doem”]; **D54/12** Pres Mean WRI, A30 [“Q: During that meeting [at Stung Hav in mid-1977] did Ta Mut mention the names of any of the traitors? Q30: Yes, he announced that Ta Nhoek, the Sector 37 Secretary, Ta Pon on the Sector 37 Committee, and Ta Chhan, also on the Sector 37 Committee (were traitors)”]; **D54/13** Pres Mean WRI, A2, 4-5 [“Ta Mut said that Nhoek, Pon, and Chhan, who were on the Committee of Sector 37, counter-revolutionaries. He mentioned a lot of names [...] A4: It was not a routine meeting. In 1977 the situation was in turmoil. The Communist Party of Kampuchea was supported by China; the Workers Party was supported by Vietnam; and the American CIA and the KGB were in amongst the people. So they had to screen out all of those people. Q: Is this your own idea, or did someone tell you this? A5: Ta Mut announced it in the meeting”]; **D54/8** Dol Song WRI, A7-8 [“Q: Did you know if Meas Muth was in charge of announcing the information? A7: Yes, I did. He was the division commander; therefore, he alone would be the person to pass the announcement to the lower levels. Q: How did you know about this? A8: He was the only person who could make the announcement because he was the division commander. However, the announcements of arrests were made only for the arrests of chairmen who were traitors, not for general arrests”]. About the treason of Chhan, *see also* **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399226, KH 00062952, FR 00611830 [Party Centre Leader discusses the treason of the despicable Chhan who, with Chong [and Nhoek in the French version], “wanted to take Koh Kong [...] in order to collaborate with the contemptible Nol and the Thai reactionaries [...] we were able to sort out the germ elements at Koh Kong and at Kampong Seila. Now the whole of Sector 37, the combination of the 11 (Old), 37(Old) that is called 37 (New), is clean, very much cleaner than before”]; **D114/261** Chum Chy WRI, A35 [“Q: Did anything happen to Ta Chhan? A35: Later, we heard something unclear or untrue only to the effect that he was a traitorous Sector Com”].

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D54/102 Ek Ny WRI, A1 [“After we had been disarmed [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men's names starting with the word 'A (the contemptible)' because 'A' was the derogatory word for use on the traitors”]; **D114/89** Seng Sin WRI, A56-60, 63 [“We [disarmed Battalion 386 and East Zone soldiers] stopped at Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A58: [during the meeting] there were both guards and soldiers [...] Q: Were they armed? A59: Yes, they were [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting [...] A63: I only remember when he talked about the traitors' confessions. He talked about Norng Chhan and my two superiors [...] Meas Muth just claimed that they were traitors”]; **D54/104** Ek Ny WRI, A10 [“I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested”]; **D54/101** Ek Ny WRI, A11 [“Ta Mut at that time even used that [...] along with the confessions of some of the arrested [cadres] to teach us in the meeting. He read the confessions and the story to us and announced that those confessed persons had been in the traitor string”]. *See also* the explanation provided by Witness Kim Hav which likely derived from what the Division 164 leadership said

to their troops about the treason of Chhan: **D114/226** Kim Hav WRI, A97 ["In 1976, when Ta Chhan heard that Angkar and Pol Pot had a plan to create cooperatives in order to make people eat collectively, he wanted to topple Pol Pot because he wanted people to eat privately. After the information was leaked, they came to arrest all of the chiefs and soldiers"].

1230 **D114/31** Moul Chhin WRI, A90, 93, 111 ["Q: Why did they demobilize your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead [...] A93: The order clearly was issued by Ta Muth. Ta Muth's men gathered us for a meeting and told us we would be sent to different worksites. They combined personnel from different units to work in production units [...] Q: You were demobilised and assigned to work in a production unit at the end of 1976 or early 1977. Is that correct? A111: Yes, that is correct. In early 1977"]; **D114/113** Koem Men WRI, 181 ["Q: Do you recall when the soldiers from Sector 37 left the islands? A181: In late 1976 and early 1977, *Brother Chhan* and his units were gathered and transferred to his former place"]; **D114/178** Oem Sokhan WRI, A19 ["They took us from the island, and they took our weapons from us. We were ordered to leave the island unarmed. When we arrived in Stueng Hav, they organized units"]; **D114/121** Suon Phar WRI, A20, 22 ["we were sent to Koh Tang Island, where we stayed for three or four months. There they demobilized our unit before I was sent to grow rice at Kang Keng Airport. When they demobilized us, they issued a hoe to each of us [...] A22: Unit 86 was disarmed on Koh Tang Island and sent back to Ream Port, where they demobilized us and gave each of us one hoe to work with"]; **D114/89** Seng Sin WRI, A44-46, 54-56, 60-62 [Explains that after his two Company 2 leaders committed suicide, they were all disarmed on Koh Tang in 1977 and then sent to the mainland together with Company 3 and East Zone soldiers. Meas Muth read Chhan's confession at a meeting in Kang Keng then sent them to work in production units because their superiors were traitors].

1231 **D114/130** Iem Phong WRI, A30-32, 34-35 ["Q: Was there any announcement or meeting to announce that *Ta Chhan* was a traitor? A30: Yes, there was. One month after he was arrested, *Ta Dim*, the deputy, came carrying a notebook and audio recordings to hold a meeting at my location. Two months later, *Ta Dim* was arrested too. Q: What was that audio recording about? A31: It was *Ta Chhan's* voice when he was being beaten and interrogated. They played the recording of his answers for us to listen to, and they also read to us the written record of his answers. Q: Do you know who interrogated *Ta Chhan* in that recording? A32: The chief of Tuol Sleng Prison. He recorded it and sent it [...] A34: *Ta Chhan's* voice? After they beat him, he said that he fought *Ta Muth*, fought whatever, like that. There were about three or four audio cassettes, I do not remember. He sounded like he had been beaten. Q: You said he sounded like he had been beaten. What does that mean? A35: I am not sure if he was beaten, but he sounded as if he was afraid"].

1232 **D114/105** Koch Tuy WRI, A79 ["They said that people of Sector 37 were traitors and planned to flee to Vietnam, and then they arrested and killed all the senior chiefs there under the pretext that they would call them to attend the study sessions. People continued to disappear, including *Ta Chhan*. Then, they disbanded my group because we were the subordinates of the alleged traitors, and returned us to Ream to join the mobile unit under *Ta Pan* and *Ta Chom*"]; **D54/103** Ek Ny WRI, A7-8, 12 ["Q: You said that *Norng Chhan* was arrested in late 1976. How long after the arrest of *Norng Chhan* did they [...] disarm your unit? A7: all the soldiers in my unit were disarmed at the beginning of the rainy season in 1977. During that time, *Ta Muth* came to attend a meeting after we were disarmed. During that time, he announced in the meeting that *Chhan* was a traitor, and former soldiers of [Unit] 86 (386) did not deserve trust. After the arrest of *Chhan*, the leadership including the political commissar and the commanders of the battalions, companies and platoons were also arrested [...] Q: When *Meas Muth* said that Unit 86 (386) did not deserve trust, did *Meas Muth* said what he would do to them in the future? A8: During that time, there were approximately 500 participants including about 100 former soldiers of Unit 86 (386) who had been disarmed [...] *Ta Muth* said in the meeting that everyone had to keep the former soldiers of Unit 86 under surveillance. He said that former soldiers were all in KGB and CIA networks. He said KGB and CIA networks had not been completely destroyed. They were hiding within our ranks, so we had to keep them under constant surveillance. Among more than 500 soldiers attending the meeting, they were all their soldiers, except the former Unit 368 soldiers. They came to keep us under surveillance [...] A12: All the Unit 386 soldiers were completely disarmed. [*Meas Muth's* soldiers] made and studied their biography thoroughly. Then they called the former soldiers of Unit 386 to come and disarm them"]; **D114/112** Oem Sokhan WRI, A15 [explains that former Sector 37 soldiers were removed from the islands and were sent to Stung Hav in July 1977 after the chief of Sector 37 was declared disloyal]; **D114/89** Seng Sin WRI, A45-46, 56, 60-62 [About the ex-Battalion 386 members posted on Koh Tang: "At that time, they only wished to disarm my unit, but they also disarmed all the other units because they were all interconnected. After our weapons were seized, we were sent back to the

mainland [...] A46: It was 1977 [...] A56: We stopped at Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting [...] A61: He sent us to work in a production unit after the meeting. In this unit we were treated like prisoners because we did not have any weapons. We were made to do farming like ordinary people [...] A62: they assumed that our superior was a traitor"; **D114/86** Chet Bunna WRI, A1-2 ["Q: Yesterday, we talked about Meas Muth's announcement at the Victory Commemoration Ceremony on 17 April 1977. This event happened a long time ago; do you still remember if there was an announcement on the arrests of Chhan and Dim at that time? Or, was there any announcements regarding the measures to be taken in order to deal with this matter? A1: Meas Muth mentioned that a search would be carried out in the future in order to find the persons who were affiliated with those traitors [Chhan and Dim] [...] A2: He said if any of us was affiliated with those traitors, we had to come forward and confess"; **D114/31** Moul Chhin WRI, A89-90, 92-93, 100 ["Later the troops were demobilised and our unit was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals. Q: Why did they demobilise your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead [...] A92: In fact, the division, thousands of troops, was demobilised. The demobilised troops were assigned to work in different production units and were sent to different work spearheads [...] A93: The order clearly was issued by Ta Muth. Ta Muth's men gathered us for a meeting and told us we would be sent to different worksites [...] Q: In which month or year did they accuse your group of being enemies? A100: At the end of 1977, and the entire former division was completely demobilised"; **D114/194** Sorn Sot WRI, A5, 18 ["The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. Anyone who refused to follow the order was killed [...] A18: Only the privates were spared. Privates could even be arrested if they were defiant. We had to respect what order they rendered. We had to be patient and temper ourselves"; **D114/135** Nob Phan (Nub Phorn) WRI, A19 ["Around 60-100 soldiers in my company [420] were demobilised, but I do not know how many soldiers were demobilised from other units. We were demobilised after they removed our commanders. . They stopped trusting us"; **D54/77** Uy Nhik WRI, A24 ["They accused people in Sector 37 of being 'no-good elements' because that area had been organised by Vietnam since 1970. Thus they accused us of having connections with the Vietnamese". See also **D114/226** Kim Hav WRI, A94-95 ["What happened to the soldiers after they were demobilized? A94: They accused us that all of the sector soldiers were traitors and that we collaborated with Yuon. Q: Who made such accusation? A95: The zone committee. They came here and accused that the Sector 37 people and soldiers were traitors, so the sector people and soldiers could not be kept. The traitors of *Angkar* could not be kept"].

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D114/121 Suon Phar WRI, A20-21, 23-24, 33 ["we were sent to Koh Tang Island, where we stayed for three or four months. There they demobilized our unit before I was sent to grow rice at Kang Keng Airport. When they demobilized us, they issued a hoe to each of us [...] A21: I heard that cadres from Sector 37 had collaborated with the enemy. I am trying to tell you that all the old cadres from Sector 37 had been taken to be killed [...] Only me and boys like me were not taken to be killed", A23-24, 33 [explains the work conditions of 200/300 demobilized soldiers of former Battalion 386 at rice fields around Kang Keng and how they received too little to eat, were exhausted and were not allowed to leave under the threat of being arrest]; **D114/135** Nob Phan (Nub Phorn) WRI, A19-20 ["Around 60-100 soldiers in my company [420] were demobilised, but I do not know how many soldiers were demobilised from other units. We were demobilised after they removed our commanders. They stopped trusting us. They had us join the mobile units at Kang Keng to grow rice [...] A20: We did not bring along any weapons at all; they had us only take clothes with us [...] We stayed at Kang Keng for one night, and they told us that we would be separated into different mobile units the following morning"; **D114/86** Chet Bunna WRI, A4, 7 ["We lived in fear, especially my group who were collected and sent to live at Au Chhoeur Teal and Kang Keng Airport. I still vividly remember that I was transferred from the Navy to Kang Keng Airport on 7 July 1977 [...] A7: One night, a person whom I did not know came to interrogate us. Then went through the list of names. My name and two other people's names were on the list. The other two were sent to Stung Hav. I was the only person who was transferred to Kang Keng Airport"; **D114/244** In Yoeu WRI, A17, 42 ["After the fall of Phnom Penh in 1975, I was in the production unit, Sector 37 in Krong Preah Sihanouk. I was in the production unit in Kang Keng, Smach Daeng. Living in Kang Keng after a short time, our authorities were removed from Sector 37. We were

separated and our weapons were removed [...] Q: Were there any members who were removed from the production unit in Kang Keng? A42: Yes, we were moved to Stueng Hav”].

1234 For example, **D114/105** Koch Tuy WRI, A81 [“All the chiefs were transferred out- those who were connected to Sector 37, including from the Unit of 50 and Unit of 100 and the battalion. Even *Ta Chhan* from Division 4 on Koh Tang Island also disappeared. People of Sector 37 continued to die. Some starved and some others died from exhaustion”], A86-94 [explaining the harsh life and work conditions in the mobile unit he was forced to join, including to build a dam at Babaos village in Ream commune], A101, 123 [“Q: Were you and your co-workers from Battalion 86 exhausted whilst working there? A101: Yes, we were extremely exhausted. Some sat up due to fatigue and died. That also happened. Some died when lifting their earth-carry baskets and carrying earth. That also happened. Sometimes, people died sleeping in their hammocks. The dam we dug was to the west of Ream Pagoda. The dam was large and still exists to this day. At that time, people died every day. Four or five people died each day [...] Q: In the mobile unit, amongst those from your Battalion 86 who disappeared or died, was anyone of them from your home village? A123: Yes, there were. They included Koy Ham, San Thngun, Kou My, Yuon Yun [...] They all disappeared”]; **D114/31** Moul Chhin WRI, A89, 91-92, 107, 112, 115, 117 [“Later the troops were demobilised and our unit was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals [...] A91: After our battalion/regiment commanders disappeared, our food ration became smaller and smaller, and each one of us was assigned to carry three cubic metres of earth a day to place on the top of a dam [...] A92: The demobilised troops were assigned to work in different production units and were sent to different work spearheads [...] A107: I worked at Preack Chak, near Ream [...] A112: hree cubic metres a day per person. They absolutely required us to complete the assigned task within the day without fail. In the case the quota was not met they pernnitted neither rest nor food [...] A115: People were just skin and bones [...] A117: The people were hungry, tired, sick, thin and pale, suffering from malaria and other diseases”]; **D114/194** Sorn Sot WRI, A45 [“That place was called Prek Chak, Koh Sampauch. There were two rice fields there. Both fields were located to the east of Ream”], A61-68 [explains the harsh living and working conditions, including lack of adequate health treatment, lack of food, deprivation of food of those who ‘pretended’ to be sick and describes people dying of diarrhea and imprisonment at Toek Sap of one person who stole one potato].

1235 **D114/121** Suon Phar WRI, A42 [“ I was sent to break rocks in Steung Hav in January or February 1978. My unit was completely disbanded, assigned to work in Kang Keng, and then sent to Steung Hav”]; **D54/77** Uy Nhik WRI, A23-24, 31 [“At that time, they transferred around 80% of the former soldiers of Battalion 386 from Sector 37 to work at a rock-breaking site at Stueng Hav because those soldiers were accused of being ‘no-good elements’ [...] A24: They accused people in Sector 37 of being ‘no-good elements’ because that area had been organised by Vietnam since 1970. Thus they accused us of having connections with the Vietnamese [...] A31: After they transferred me out, my living conditions were much harsher than they were when I was a soldier [...] after I was sent to join a production unit at Stueng Hav, I did not have enough food to eat, and the work was much harsher than before”]; **D114/178** Oem Sokhan WRI, A17-18, 20, 25-26 [“First, they called me in for education. They opened a school for education. Later, they said they were sending all of the soldiers in Sector 37 to Stueng Hav to be tempered so they could screen them, separate them out, and find out if we were loyal to them or not. Q: Do we understand correctly that, in the initial stage of the purges, it was not important if the ordinary soldiers in Sector 37 who were sent to Stueng Hav had done something wrong or not, but rather all of the soldiers from Sector 37 were sent to Stueng Hav? A18: It was not about whether we made a mistake or not, but rather all of the soldiers in the sector were sent there [...] Q: Did you feel it was forced labour? A20: It was a tempering site. We had to do it; we could not refuse [...] A25: To temper means they had us work to rebuild ourselves [...] A26: we did not have enough to eat [...] there was not enough medicine. We had to work long hours every day”]; **D54/13** Pres Mean WRI, A26, 34 [“at the rock breaking site, we were not allowed to go anywhere or contact anyone elsewhere; otherwise, we would be arrested and taken away [...] A34: Living conditions were like in a jail because we were not allowed to go anywhere besides the worksite”]; **D114/86** Chet Bunna WRI, A7 [“One night, a person whom I did not know came to interrogate us. Then went through the list of names. My name and two other people’s names were on the list. The other two were sent to Stung Hav”]; **D114/244** In Yoeu WRI, A17, 42 [“After the fall of Phnom Penh in 1975, I was in the production unit, Sector 37 in Krong Preah Sihanouk. I was in the production unit in Kang Keng, Smach Daeng. Living in Kang Keng after a short time, our authorities were removed from Sector 37. We were separated and our weapons were removed [...] Q: Were there any members who were removed

from the production unit in Kang Keng? A42: Yes, we were moved to Stueng Hav”].

1236 For example, **D114/178** Oem Sokhan WRI, A17, 27 [“they were sending all of the soldiers in Sector 37 to Stueng Hav to be tempered so they could screen them, separate them out, and find out if we were loyal to them or not [...] A27: If we could not finish our assigned work, we would be arrested, mistreated, or taken to be killed”]; **D114/86** Chet Bunna WRI, A4-5 [“Q: After the announcement about the arrests and disappearances of a number of high-ranking cadres was made how did the soldiers in Division 164 feel? A4: We lived in fear, especially my group who were collected and sent to live at Au Chhoeur Teal and Kang Keng Airport. I still vividly remember that I was transferred from the Navy to Kang Keng Airport on 7 July 1977. Our concern was that we did not know when we too would be arrested. Q: We notice that you have mentioned your fear many times in your interview. Could you elaborate more on those fears and the time when you had them? A5: We had no fears before Dim and Chhan were arrested because we were the full-right soldiers. We had rifles to use, and we could move anywhere. However, after the announcement of the arrests of Dim, Chhan, and the Battalion and Regiment Commanders (namely Ta Ham and Ta Vet) was made we became frightened. We did not know when they would come to arrest us”]; **D114/89** Seng Sin WRI, A73, 90 [“How did you feel when you were sent to work in the production unit? I was very afraid. I had been afraid ever since my commander had killed himself with a bomb [...] A90: Because they declared that our superiors were traitors. We were scared. We did not dare to refuse any orders rendered to us”].

1237 **D114/130** Iem Phong WRI, A91-93, 99, 101, 104-107 [“After they arrested Ta Chhan, we did not dare to talk with each other because we were afraid of being accused of communicating [...] A92: if we could not answer correctly, they would arrest us and accuse us of having tendencies/affiliations [...] A93: if we secretly talked to each other, and someone saw us and reported to the commander of the hundred-member unit, that commander would arrest us to be beaten and interrogated [...] A99: after Ta Chhan was gone, we were regarded as having affiliations/tendencies. They ordered us to break stones during the day, and they provided us this much porridge-like rice (about a palm full), day and night. During the day we broke stones, and at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers [...] A101: They took two or three personnel to be beaten to death. When we worked, there were life-view meetings. If they suspected us, they would take us away, and we never knew where they would take us. I never saw the personnel taken away return [...] A104: They were healthier than us, and they were not demobilized either. They ate enough. My unit was demobilized because we were affiliated with Ta Chhan, so we did not get enough to eat. When we were too hungry, we looked for fruit or potatoes to eat, and they would kill us if they caught us [...] A105: if they saw us stealing, they would beat us to death. I personally saw them arrest a man and order a child only this tall (150 centimetres tall) to beat the man. That child beat him until he lost consciousness. When he awoke, they took him away. Q: Did you ever see the man who was beaten unconsciousness again? A106: They took him away. Q: Did you ever see other people taken to be detained or killed? A107: Rin, a group leader, was tied up and beaten. Rin stole tobacco [...] they took him to be tied up under the sun and beat him and kept him there for one day. After that, they took him away. I did not know where they took him”]; **D114/178** Oem Sokhan WRI, A17, 27 [“they were sending all of the soldiers in Sector 37 to Stueng Hav to be tempered so they could screen them, separate them out, and find out if we were loyal to them or not [...] A27: If we could not finish our assigned work, we would be arrested, mistreated, or taken to be killed”]; **D54/12** Pres Mean WRI, A24, 34 [“I once saw a soldier in my unit being taken away and disappeared forever because he had used a wrong grade of engine lubricant which caused a motorboat engine to break down. He was taken away and disappeared permanently. He was a boat driver in a fishing group supplying the rock-breaking site. And another one was also taken away and disappeared because the boat he was driving struck a rock. If someone driving a truck hit something, that person would also be taken away [...] A34: Anyone caught stealing potatoes would be arrested and beaten”]; **D54/13** Pres Mean WRI, A26 [“at the rock breaking site, we were not allowed to go anywhere or contact anyone elsewhere; otherwise, we would be arrested and taken away”]; **D114/121** Suon Phar WRI, A47 [“From my understanding, when they arrested someone who tried to run away, that person was killed”]; **D114/86** Chet Bunna WRI, A7 [“a person whom I did not know came to interrogate us. Then went through the list of names. My name and two other people's names were on the list. The other two were sent to Stung Hav. I was the only person who was transferred to Kang Keng Airport. I was extremely frightened when I heard that my name was on the list [...] In fact, the three of us were not the persons whose names had been mentioned in the interrogation. If our names had been mentioned, we would have been sent to Phnom Penh or Teuk Sab, depending on how serious the case was. We were still considered loyal. However, we were deemed suspicious”]; **D114/105** Koch Tuy WRI, A64 [“I have one account of Thoeun from Boeng Trach, who

worked with me in Battalion 86. He was so hungry that when he saw ripe papayas, he would pick them up and hid them to eat later, but someone saw him doing this, and then reported this to the mobile unit chief. In the end, he was taken to be dumped into a well, and he died”].

1238 **D54/103** Ek Ny WRI, A3 [“After the arrest of the leadership of Sector 37 and Bang Norng Chhan, Deputy of Ta Muth of Division 164, soldiers under Bang Norng Chhan were no longer trusted. All soldiers of Bang Norng Chhan were disarmed, and we were all sent to a production unit which was for light offence prisoners. They had us wear blue clothes. I would like to add an important event occurring during that time as follows. There were approximately twenty unmarried women working closely with Bang Norng Chhan, as his cooks, messengers and assistants. After the arrest of Bang Norng Chhan, those women were taken to Tuek Sap prison, where was strictly guarded by armed guards. As for my group, we were guarded by armed guards all the time. One day I saw those women at Tuek Sap while I was assigned to farm paddies there. When I saw those women, I wanted to say hello to them, but my unit chief did not allow me to stay close to them because they were prisoners. After the victory in 1979, I met parents of one of the twenty women, called Cham [...] they said that Cham never returned home [...] During that time, I heard that those twenty women were arrested to Tuek Sap; they were accused of being Chhan lovers”]. *See also*, about accusations of moral misconduct: **D114/277.4** Kaing Guek Eav alias Duch, T. 13 Jun 2016, 09.49.22-09.52.12 [“Comrade Chhan was already married, and later on, after committing moral misconduct, Chhan joined the enemy”].

1239 Sometimes also spelled Hang Doeun alias Dim/Doem or Hoeng Doeun alias Dim.

1240 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 1624 [Hoeng Doeun or Hoeng Doeur alias Dim, described as “Deputy Secretary of Division 164, before work as secretary of Regiment 152”]; **D54/96** Teng Sarim alias Chim Chroeun WRI, A18, 20-21 [“Q: Do you know how many troops were dispatched with Dim to Phnom Penh and Kampong Som? A18: The entire 152nd Regiment [...] A20: All the personnel in the entire Regiment 152 under the command of Dim were sent to Kampong Som, nearly 1,000 [...] A21: The members of Regiment 152 were not only from Sector 22; they came from the entire East Zone”]; **D54/97** Khoem Yat WRI, A4, 8, 12 [“Dim was who was from Sector 22. He was responsible for the spearhead east of Phnom Penh with Regiment 52 (152) that was under the command of Sim and Sam, but Dim was senior to Sim and Sam [...] A8: Not all Regiment 52 personnel were sent to Kampong Som. As I knew it, personnel selected were from different battalions to be sent all to Kampong Som, except for the special companies and special battalion. In total, about 700 soldiers were sent to Kampong Som [...] A12: When Dim was sent to Kampong Som for a while, he came back to mobilise his regiment's soldiers to Kampong Som with him. Like I explained this morning, the capable soldiers were selected to work with Dim in Kampong Som in order to be merged into Division 164”]; **D114/219** San Chuon WRI, A16 [“in Sector 22, whereupon Dim, as chief, gathered maybe 1,000 troops to come b[y] over there at the Zone. It was called the Southwest Zone”]; **D114/220** San Chuon WRI, A23 [“I do not know the number. That's only an approximation. He gathered up a lot and they boarded long train to come to Kampong Som”]; **D54/44** Lon Seng WRI, A5-6, 11 [“Q: After 1975, were there any military soldiers in Sector 22 of the East Zone, who came with Dim, being sent to your unit? And, what happened to those soldiers? A5: Yes, 1500 soldiers from the East Zone were sent to my unit, but I do not remember them. They came in two groups. There were 700 soldiers in the first group and 800 soldiers in the second group [...] A6: Before 1977, I was still in Kampong Som. I knew that 1500 soldiers from the East Zone were disarmed and sent to the Big Production Unit in Putth because they were considered as bad-element soldiers [...] A11: Meas Mut announced that 1500 soldiers from the East Zone, who were under Dim's supervision, would be put together into our division in order to form a marine division. Those soldiers had to go through a selection process before they were put in the marine division. However, they were not considered as enemies. Those soldiers had all been arranged to different units when they arrived at the division”]; **D54/94** Hoeng Kim Soeun (Hang Kim Soeun) WRI, A1 [Son of Dim: “At that time, my father had not yet been moved to Kampong Som; he worked at the headquarters of Ngor-52 [Regiment 52] naval unit [...] at Preaek Leap [...] my father told me that *Angkar* would soon send us to live together in Kampong Som”]; **D114/297.1.20** Pak Sok T. 16 Dec 2015, 14.21.13-14.30.19 [“Ta Doem was part of the Eastern Zone, and his troops were relocated from the East Zone to Kampong Som. One regiment of his troops was sent to Kampong Som”]; **D234/2.1.91** Prum Sarat T. 25 Jan 2016, 16.03.51-16.05.05 [“Q: we are in agreement that 700 soldiers from the East Zone formed part of the Division 164? That is correct, right? A. Yes, you are right”]; **D54/87** Prum Sarat WRI, A88 [“Dim came from the East Zone. He was one of 700 soldiers the upper echelon sent from the East Zone to form the navy in Kampong Som”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A158-159 [“they selected an additional 700 forces from the East Zone to attend the other training. The General Staff arranged it and sent the forces there. The two forces were combined together. There were 700

forces from the East Zone. What division were the 700 soldiers from the East Zone integrated into? A159: It was Division 164, Regiment 140”; **D54/33** Ing Chhong WRI, A20 [“At that time, Dim and his 700 soldiers arrived from the East Zone. These soldiers from the East Zone were combined with those of Division 3 to create Division 164”]; **D54/33.1** Y Chhon (Ing Chhong) DC-Cam Statement, EN 01073811, KH 00964200 [“When the Navy was established, 700 soldiers from the East and others from the Southwest were integrated together to form the Navy. After the integration, they did not get on well with each other, and there were a lot of conflicts”]; **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249698-99 [“At the end of 1975, the 3rd division was re-designated the 164th division and re-subordinated under the Democratic Kampuchean navy. The Division also incorporated additional troops from Sectors 22, 24 and the remaining troops from Sector 37”]; **D114/95** Yoem Sroeung WRI, A52 [“When we were at Regiment 140, they sent about 500 to 600 soldiers from the East Zone to join the navy”]; **D54/29** Liet Lan (Nam Lan) WRI, A19 [“Dim came to Kampong Som with about two battalions of soldiers”]; **D54/8** Dol Song WRI, A28 [“I think it was around the middle or end of 1975 when the East Zone people arrived at Stueng Hav”]; **D54/104** Ek Ny WRI, A7 [“Doem was from the East Zone [...] He came to join Division 164, along with his combatants. I did not know how many combatants came with him, but there were hundreds of them”]; **D54/51** Meas Voeun (Svay Voeun) WRI, A12.

1241 **D54/97** Khoem Yat WRI, A4, 14-15 [“Dim was who was from Sector 22. He was responsible for the spearhead east of Phnom Penh with Regiment 52 (152) that was under the command of Sim and Sam, but Dim was senior to Sim and Sam [...] A14: Dim came from Ou Reang Ov District [...] A15: I saw Dim many times both in Kampong Som and in Sector 22”]; **D54/95** Khun Than (Chhun Than) WRI, A20 [“They returned to villages in Sector 22 in order to investigate the background of the soldiers who had been sent from Sector 22 to Kampong Som with [Dim]”]; **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249698-99 [“At the end of 1975, the 3rd division was re-designated the 164th division and re-subordinated under the Democratic Kampuchean navy. The Division also incorporated additional troops from Sectors 22, 24”]; **D54/96** Teng Sarim alias Chim Chroeun WRI, A10-12 [explains that Dim was the Regiment 152 in Sector 22 commander since 1973 as “Dim was an internal resistance fighter of the Khmer Rouge, and he was good at political education and propaganda. Later on he became Political Chairman of the Sector Military. And later on he was promoted to Regiment 152 Chairman [...] After Lon Nol regime collapsed [...] He told me via radio that they had assigned him to the Kampong Som Sea to be responsible for the Navy”]; A21 [“The members of Regiment 152 were not only from Sector 22; they came from the entire East Zone”]; **D54/94** Hoeng Kimsoem (Dim’s son) WRI, A1 [“At that time, my father had not yet been moved to Kampong Som; he worked at the headquarters of Ngor-52 [Regiment 52] naval unit [...] he was stationed at Preaek Leap”].

1242 **D114/65** Chet Bunna WRI, A9 [“Dim was Meas Muth’s 1st deputy, and he was from the East Zone”]; **D54/26** Pak Sok WRI, A12 [“Dim was transferred from the East Zone to be the deputy division commander of Meas Muth”]; **D54/97** Khoem Yat WRI, A5, 14 [“Dim went to Kampong Som before Sam and me. In Kampong Som, Dim was Division 164 Deputy Commander. Sam was in the regiment [...] A14: Meas Muth was the commander of the division, and Dim was his deputy”]; **D2/16** Touch Soeuli (Soeu Touch) WRI, A10 [“Dim became the deputy of the Division”]; **D114/78** Svay Sameth WRI, A21 [“[Dim] was from the East Zone [...] Dim was a Deputy of Meas Muth”]; **D54/87** Prum Sarat WRI, A53 [“His deputy was Dim. The Division 164 Command Committee was composed of Meas Mut as commander, Dim as deputy”]; **D54/95** Khun Than (Chhun Than) WRI, A12 [“Dim was a Khmer Rouge soldier who was senior to my older brother [Khun Dim]. Dim served in a unit different from my older brother [in Sector 22]”]; **D54/44** Lon Seng WRI, A5 [“Dim became the deputy of Meas Mut. He was in charge of military commanding in Division 164”]; **D114/89** Seng Sin WRI, A15 [“In Division 164, Meas Muth was the Overall Commander, and Norng Chhan was the Commander. Dim was the Deputy Commander and Nget was a member”]; **D54/29** Liet Lan (Nam Lan) WRI, A19 [“after Division 164 had been mustered, [Dim] became a military commander and the deputy of Meas Mut. On my return from China, I was told that Dim had already been sent to another place”]; **D114/104** Iem Phong WRI, A50 [“Ta Chhan and Ta Dim were the deputy commanders. Ta Chhan and Dim were killed on charges of treason”]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Mut’s first deputy was Dim from the East Zone. Dim disappeared in 1977 when there was the internal conflict”]; **D54/92** Yem Sam On WRI, A16; **D114/95** Yoem Sroeung WRI, A66; **D54/81** Hing Uch WRI, A14; **D114/113** Koem Men WRI, A31.

1243 **D1.3.34.11** Telegram 11 from Dim (Division 164) to Meas Muth, 24 Sep 1976, EN 00233660, KH 00000863, FR 00654897 [“The state of things on the land in Riem and Baboh subdistricts after we took the measure

- against the enemy that you decided is that five of them fled into the forest, were pursued and arrested by us”], EN 00143522, KH 00000863, FR 00654897 [“Another two (combatants) had deserted a Unit in Sang Hay. They will be transferred from Unit 63”]; **D1.3.34.15** Telegram from Dim (Division 164) to Meas Muth, 8 Oct 1976, EN 00233659, KH 00000867, FR 00800811 [Reports about a Division 164 soldier who attached 5 bombs together at the place where the cadres Roeun and Yan used to take a rest. After being arrested, the soldier managed to run away”].
- 1244 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940344, KH 00052407, FR 00334976 [Son Sen (Bang 89), explained that Chakrei and Chhouk from Sector 24, East Zone were traitors to Vietnam and had been smashed and encouraged the participants to smash the internal enemies within the Rak divisions].
- 1245 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940340, KH 00052404, FR 00334974 [Dim / Doem reported two security incidents involving Division 164 combatants and four other arrests], EN 00940346, KH 00052408, FR 00334977 [Following Son Sen’s advice, Dim said, “I would like to be in unity with *Angkar*’s presentation about the enemies’ internal and external situations. Before, I had suspected some and not suspected some because all these individuals held important leadership posts. I have now therefore heightened vigilance even more. In the past, the enemy conducted activities in the divisions, but there were shortcomings in attacking the enemy, to which not a lot of attention was paid. With regard to this problem, if you think about it, the activities of one or two enemies on the inside can wreck the strength of the Revolution [...] I had known something about this problem of the enemy creating a new party from the instructions that came one after another from the Party, but it did not go so deep as the information that I have now heard from the Party. From an examination of my forces, some 90 to 95 per cent of them are reliable, those who are loyal to the Party. But if you want unsullied faith that the army is clean, it seems not yet to be clean, and it is imperative to follow up with more purges” (*emphasis added*)].
- 1246 All of them are described as belonging to Division 164, formerly Regiment 152: **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 435 (Meas Lien alias Saroeu, combatant), 1273 (Chet Kim Chhoeun alias Kim Eng, chief of team), 1537 (Ieng Song alias Sreang, combatant), 5610 (Nhem Sim, combatant), 5729 (Ngin Some or Ngin Lim, combatant), 10189 (Sek Sen alias Sophal, combatant), 10571 (Sem Sot, chief of team), 10650 (Say Nem alias Nem, combatant), 12219 (Taum Sopheap or Tauch Sopheap alias Sokun, combatant), 13381 (Vong Loeng alias Than, commander of platoon), 13911 (Yiv Huot alias Hoan, combatant). *See also*, **D114/145.1.3** Ieng Song alias Sreang S-21 Confession; **D114/145.1.22**, **D114/145.1.23**, **D114/145.1.24**, **D114/145.1.25** & **D114/145.1.26** Vong Loeng alias Than (Vung Loeng) S-21 Confession.
- 1247 For example, **D1.3.3.2** S-21 Execution List, *List of Prisoners executed on 3 October 1976*, EN 00874221-22 [Nhem Sim, No.5; Ieng Song alias Sreang, No.8; Sek Sophal, No.10]. *See also* **D1.3.3.2** S-21 Execution List, *List of Prisoners Executed from 1 October 1976 to 15 October 1976*, EN 00874304 [Nhem Sim, No.5; Phieng Song alias Sreang, No.8; Sek Sophal, No.10: all are reported to have been executed on 2 October 1976], *List of Prisoners Executed or Died of Disease from 15 September 1976 to 30 September 1976*, EN 00874529, 33 [Sem Sot, Division 164 Squad Chief, No.13, died of disease on 25 Sep 1976; Say Nem, Division 164 combatant, No.16, died of disease on 29 Sep 1976], *List of Prisoners Executed from 15 October 1976 to 30 October 1976*, EN 00874330 [Tauch Sopheap alias Sokun, No.71, died of disease on 20 October 1976], *List of Prisoners Executed from 1 November 1976 to 15 November 1976*, EN 00874411 & 00874526 [Yiv Huot alias Hean, No.85, died of disease on 6 Nov 1976].
- 1248 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14561; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 39; **D1.3.1.8** S-21 Confession, 13 Jul 1976; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968421, KH 00926645 [“The first leaders [of Regiment 140] included Ta Saroeun. Saroeun was the chairman, and Sam, from the side of Ta Doem, was the commander and deputy chairman. After that it was Ta Seng, and Ta Sam was arrested. He was arrested under Ta Doem’s time”].
- 1249 **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880, KH 00239838 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”].
- 1250 **D12** Kaing Guek Eav alias Duch WRI, EN 00680799, KH 00680805 [“before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions”]; **D4.1.860** Kaing Guek Eav alias Duch WRI, EN 00403906 [“In practice, when a person was implicated in a confession, the superiors informed the head of the unit”]; **D98/1.2.6** Kaing Guek Eav alias Duch, T. 27 May 2009, 09.33.54 [“the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would --selected some of the names from those from Division 502”], 09.57.12-10.00.15, 10.34.00; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932, KH 00242921 [“The confession was sent to the unit head for two

reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons”].

1251 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 2368 [Kung Kien alias Oeng Vet, Secretary of Battalion 631, Division 164, entry Apr 1977, execution 13 Mar 1978], 3223 [Kun Dim, Deputy Secretary of Battalion 141, before in Sector 22, entry 20 or 25 Apr 1977], 3994 [Kung Sean alias San, Secretary of Battalion 142, Division 164, entry 27/28 Apr 1977, execution 14 Feb 1978], 4797 [Mom Chim alias Yan, Member of Division 164, entry 28 Apr or May 1977, execution 13 Mar 1978], 7207 [Pen Ham, Secretary of Battalion 170, Division 164, entry 28 Apr 1977, execution 14 Feb 1978], 7383 [Ham An alias Sin, wife of Doctor Sok and medic in Company 1, Battalion 169, entry 26/28 Apr 1977, execution 29 Apr 1978], 7526 [Choek Sreng, Secretary of Battalion, Division 164, entry 11 Apr 1977, execution 14 Feb 1978], 7546 [Nguon Lakk alias Sarat, Member of Battalion 170- Regiment workshop, Division 164, entry 28 Apr 1977, execution 13 Mar 1978], 8176 [Sann Seap alias Sam, Deputy Chief of Regiment 62 in Division 164, entry 21 (Apr or May) 1977], 13155 [Sek Hieng, Deputy Secretary of Battalion 613, Division 164, entry 23 Apr 1977, execution 14 Feb 1978]. *See also*, **D1.3.28.27** S-21 Prisoner List, EN 01215100, KH 00088754 [no.1 Kun Dim, Commander of Battalion, 164, entry 20 Apr 1977, interrogation finished on 21 July 1977; no.3 Sann Seap alias Sam, entry 21 May 1977, interrogation finished on 20 Aug 1977].

1252 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 1624 [entered S-21 on 21 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 11 [executed 8 December 1977]; **D1.3.28.40** List of Prisoners Who Were Smashed and Photographed on 8 Dec 1977, EN 00873280-81, KH 00009146 [No. 2: Hing Doeun alias Dim, Deputy Secretary of Division 164]; **D1.3.28.40** S-21 Execution Log, 9 Dec 1977, EN 00873621, KH 00009252 [no.172: Hoeng Doeun alias Doem, Deputy Secretary of Division 164]; **D1.3.28.27** S-21 Prisoner List, EN 01215100, KH 00088754 [No.2 Oeng Doeun alias Dim, Deputy Commander of Division 164]; **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00224085; **D1.3.18.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D1.3.18.2** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D1.3.28.49** S-21 Interrogation List, EN 00937118, KH 00082795-96 [arrested 21 Apr 1977, end of interrogation 20 Jul 1977]. *See also*, **D114/104** Iem Phong WRI, A50, 53-54 [“Ta Chhan and Dim were killed on charges of treason [...] Q: Were Ta Chhan and Ta Dim taken to be killed at the same time? A53: Ta Chhan was taken away first, and Ta Dim was taken away later. Q: Where did they take them? A54: I heard they were taken to Tuol Sleng Prison”]; **D114/85** Chet Bunna WRI, A11 [“ [This document is D1.3.18.1 with Khmer ERN 00162140] A11: Yes [...] This is Dim, whom I mentioned. When I see this document and the date, I can say for sure that it is correct because they took those people away in early 1977”]; **D54/104** Ek Ny WRI, A10 [“One day before my unit was disarmed and after Doem disappeared, I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested. In 1979, I just realized that S-21 and Boeng Cheung Ek were a prison and an execution site”].

1253 According to Kaing Guek Eav alias Duch, torture during interrogations was inevitable: **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.36.55-09.39.23 [“The physical torture was inevitable. There was only one case in which I did not use physical torture. For Comrade Hor, there was only one case in which he did not use torture [...] In most of the cases during the interrogation, it involved the use of physical torture”]; **D98/1.2.19** Kaing Guek Eav, T. 27 Mar 2012, 09.35.06-09.36.30 [“whether or not all confessions were extracted by ways of torture, I can say that, well, all of them except Koy Thuon’s were torture[d]”, 09.39.30 [“in general, torture was not avoidable there”]; **D10.1.64** Kaing Guek Eav alias Duch WRI, EN 00412114 [“as for torture, it was inevitable at S-21”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147524 [“Anyone taken for interrogation mostly could not avoid torture, except for special cases like the case of Koy Thuon, whom I had orders not to torture”].

1254 **D234/2.1.55** Hang Doeun or Hoeung Doeun alias Dim S-21 Confession, EN 00224085; **D1.3.18.1** Hang Doeun or Hoeung Doeun alias Dim S-21 Confession; **D1.3.18.2** Hang Doeun or Hoeung Doeun alias Dim S-21 Confession, EN 00759713-17, KH 00177026-30 [Lists 94 “traitorous forces within Division 164, including cadres from the committees of Division 164, Regiments 62 and 63 and numerous Battalions and companies]. *See also* **D1.3.18.1** Hang Doeun or Hoeung Doeun alias Dim S-21 Confession (DC-Cam Summary), EN 00187722 also mentions that on 14 July 1977 Hoeng Doeun alias Dim implicated 114 names including 23 who were already arrested]; **D1.3.18.2** Hang Doeun or Hoeung Doeun alias Dim S-21 Confession, EN 00187780-81, KH 00176994-95 [DC-Cam summary mentions that in another part of his

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confession dated 15 May 1977 Dim listed 21 traitorous forces from Independent Regiment 152 and from Division 164 that are allegedly traitors in his network].

Witness Chet Bunna, a Regiment 140 cadre, testified that Meas Muth mentioned during a meeting held at Ochheuteal Beach on 17 April 1977 that Dim was a traitor who had been arrested. As Dim only entered S-21 on 21 April 1977, this indicates that he was not immediately transferred to S-21 and was first detained somewhere else for some time, likely in Kampong Som: **D114/85** Chet Bunna WRI, A10-11, 21, 23-24, 26, 34 [“Probably in late 1976 or early 1977 [...] It was announced that Dim was accused [of] being a traitor and arrested [...] they took those people away in early 1977 [...] A21: the announcement was made on the Victory Commemoration Day of the 17 April, and was made in front of Division 164. The announcement was given at the far end of Au Chheour Teal Beach, where the Headquarters of the Navy was located [...] A23: On that day, Meas Muth was the sole person who spoke before about 1,000 soldiers from Naval Division 164 and the relevant offices in the Division, such as the medical, transportation and logistics units [...] Amongst other matters, Meas Muth also announced that Chhan and Dim had been arrested for traitorous activities. To the best of my recollection, Chhan was arrested before Dim was. Only the arrests of Chhan and Dim were announced in public. The arrests of the low-level cadres who were under Chhan's and Dim's commands were not made public [...] A24: The meeting was held in the morning of 17 April [...] A26: only Chhan's and Dim's arrests were announced. I did not know how long they had been under arrest for before the meeting [...] A34: Meas Muth said that Dim and Chhan had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”]; Chet Bunna also mentioned that Kung Kien alias Oeng Vet was arrested about a month after Dim, although he was arrested on 5 April 1977: **D114/85** Chet Bunna WRI, A18-19 [“Q: We would like to show you the document from Office S-21 bearing the name of Kung Kean alias Ing Vet, document D1.3.18.4, with Khmer ERN 00017305. He was the Secretary of Battalion 163, Regiment 63 and Division 164. A18: I also knew him because he taught us and talked with us. Everyone was aware of his arrest, because he was a prominent figure. At that time, he lived at Kang Keng Airport [...] A19: We just knew that he was arrested about a month after Dim”]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 2368 [Kung Kien alias Eung or Oeng Vet, Battalion 631 Secretary, Regiment 63 – entered April 1977, executed 13 March 1978]; **D1.3.18.4** Kung Kien alias Oeng Vet S-21 Confession, EN 00822054 [summary of interrogator; date of arrest: 5 April 1977]; Chet Bunna's statement is corroborated by two other witnesses: Witness Leang Bea mentioned that after Dim's arrest, “Yan rose to replace Dim [...] Yan was arrested after Dim”. This witness would not have noticed the replacement of Dim by Mom Chim alias Yan unless the latter occupied his position for some time before being arrested himself. Yet it is established that Yan entered S-21 in late April 1977 like Dim: **D54/113** Leang Bea WRI, A80-81 [“Q: In your answer, you spoke about Dim's arrest. When was Dim arrested? A80: Dim was arrested approximately in 1976. Later, Yan rose to replace Dim. Q: Was Yan arrested before or after Dim was? A81. Yan was arrested after Dim”]. Although the OCIJ S-21 Prisoner List mentions 28 April or May 1977 as date of entry in S-21, the cover page of his S-21 confession mentions the date of 15 April 1977 as date of arrest in Kampong Som: **D1.3.1.4** Mom Chim alias Yan S-21 Confession, KH 00205413 [date of arrest 15 April 1977], KH 00205414-19 [He was arrested after the S-21 interrogator Pon made a December 1976 report on his activities based on the confessions of two other persons and Yan's biography]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4797 [entered 28 April 1977 –or May–, executed 13 March 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 24 (and No. 27 – duplicate); **D114/116** Svay Saman WRI, A26-33 [explains that Mom Yan, Regiment 63 commander, disappeared in 1977]; **D54/104** Ek Ny WRI, A5 [“Yan was a member of Division 164. Yan was from the Southwest Zone in charge of three battalions: Battalion 170, Battalion 180 and Battalion 132. These three battalions were under a regiment [...] Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoek, Chhan, Yan and Doem were traitors’”]; **D54/102** Ek Ny WRI, A1 [“In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men's names starting with the word ‘A (the contemptible)’ because ‘A’ was the derogatory word for use on the traitors”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island near Ream”]; **D54/81** Hing Uch WRI, A14, 22 [“Later Yan also came in to take charge of Division 164 with Uncle Mut. He was a former commander of Regiment 63. I did not know where he went after that. Later Saroeun came in to replace Yan. Saroeun was from Regiment 140 and probably replaced Ta Yan [...] Q: Why did Yan later become Meas Mut's deputy? A22: I did not know clearly about this, but at one point in time Yan had me

build a pig pen for him. I was curious, and so I asked a friend of mine who he was. My friend said that he was Division Deputy Commander”]; **D54/8** Dol Song WRI, A4-5 [“those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion [...] A5: They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings”]. According to Witness Meas Voeun, Division 1 deputy secretary in the West Zone (Koh Kong), Dim was first “removed and transferred to the rear before disappearing”: **D54/51** Meas Voeun (Svay Voeun) WRI, A13, 25 [Explains that because Dim used to navigate his ship close to the border of Thailand to check the activities of Thai fishing boats, he was suspected of planning to take a ship to escape to Thailand and was removed and transferred to the rear before disappearing. Further explains that instructions from Division 164 were that only commander Meas Mut had the authority to order any movement of vessels because he suspected that the deputy division commander Dim intended to take the vessels and flee].

1256 **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession (colour copy), EN 00224085, KH 00174375 and **D1.3.18.1**, KH 00162140, FR 00235668 [Son Sen annotation on confession of Division 164 Deputy Secretary: “To brother to be informed. About the plan, it is followed. Though some are the right people, some others, whom I have known, are not. I will invite comrade Muth to check this together. This person will definitely implicate the others [...] 8 May 1977”]; Another English translation can be found under: **D54/97.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 01072501, KH 00988684 [“To Brother for information. As for plans, it is correct. As for some people, it is correct. But as for some I know, it seems unreasonable. I will invite Comrade Mut to come examine ... may check the responses of other forces”]; Kaing Guek Eav alias Duch authenticated Son Sen’s handwriting as for this annotation: **D4.1.766** Kaing Guek Eav alias Duch WRI, EN 00398210, KH 00398202 [“The first document (ERN 00174375) was annotated by Son Sen and addressed to Pol Pot. I am not the author of these notes (I could not use the term ‘comrade Mut’ given his rank and age, he was senior to me). The second confession (ERN 00174384) is also entirely annotated by Son Sen, except for the ‘S’, which is circled, which I wrote and which means ‘secret’]. *See also* evidence he received and discussed the content of the confession of a subordinate of Dim in Division 164 (who came from Sector 22): **D234/2.1.54** S-21 Confession of Kun Dim, 21 Jul 1977, EN 00822359, KH 00175293 [Son Sen note dated 10 Sep 1977: “Division 164 of Comrade Mut are mentioned. [...] *Contact Comrade Mut so that he can take measures.* We have already basically removed all those on Comrade Mut’s side” (*emphasis added*)].

1257 **D54/13** Pres Mean WRI A11, 13, 15-16 [“Q: Did only Ta Mut speak in the meeting, or did any other cadres speak? A11: Only *Ta Mut* [...] A13: I knew that Dim used to be his deputy, but at that time he announced that Dim had become a traitor [...] Q: Did anyone who came from the East with Dim join the meeting? A15: Some of them attended, but I do not know the exact number. At the time, only the leadership echelon from the East Zone had been selected out. As for the ordinary soldiers, their weapons had been confiscated and they were sent to break rocks [...] Q: Did you know that Dim had disappeared before the meeting, or did you learn that he had disappeared when they announced it in the meeting? A16: I just learned about his disappearance during the announcement in the meeting, because he stayed in Kampong Som and I stayed in Stueng Hav”]; **D114/85** Chet Bunna WRI, A10, 21, 23-24, 26 [“in late 1976 or early 1977, Meas Muth declared that Chey Chhan [...] was a traitor who worked for the Vietnamese. It was announced that Dim was accused being a traitor and arrested at the same time [...] A21: the announcement was made on the Victory Commemoration Day of the 17 April, and was made in front of Division 164. The announcement was given at the far end of Au Chheour Teal Beach, where the Headquarters of the Navy was located [...] A23: On that day, Meas Muth was the sole person who spoke before about 1,000 soldiers [...] Amongst other matters, Meas Muth also announced that Chhan and Dim had been arrested for traitorous activities. To the best of my recollection, Chhan was arrested before Dim was. Only the arrests of Chhan and Dim were announced in public [...] A24: The meeting was held in the morning of 17 April [...] A26: only Chhan’s and Dim’s arrests were announced. I did not know how long they had been under arrest for before the meeting”]; **D54/102** Ek Ny WRI, A1 [“in late 1976 toward the beginning of 1977 [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former [...] were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names *A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim*”]; **D54/104** Ek Ny WRI, A5, 9-10 [“Yan was among traitors whose names were made a rhyme by *Ta Mut*, “*Nhoek, Chhan, Yan and Doem* were traitors [...] A9: I think the name Doem in this document is Doem whom I have mentioned earlier regarding the rhyme, *Contemptible Nhoek*,

Contemptible Chhan, Contemptible Yan and Contemptible Doem [...] A10: I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on *Ta Mut* announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested”]; **D54/8** Dol Song WRI, A7-8 [“Q: Did you know if Meas Muth was in charge of announcing the information? A7: Yes, I did. He was the division commander; therefore, he alone would be the person to pass the announcement to the lower levels. Q: How did you know about this? A8: He was the only person who could make the announcement because he was the division commander. However, the announcements of arrests were made only for the arrests of chairmen who were traitors, not for general arrests”]. Dim’s audio taped S-21 confessions (and of his former deputy Sim, both assigned to Division 164 in Kampong Som) were also played by Dim’s successor at the head of Independent Regiment 152 during a meeting at Prek Leab: **D54/40** Pen Vy WRI, A23-24 [“The upper *Angkar* said that the Sector 22 was full of traitors. At that time they played the audio tape on the confessions of Dim and Sim for the military to listen for them to believe that the two were really disloyal. I knew the voices of the two people clearly. Q: Who took and played the audio tape and where was it played? A24: The commander who replaced Dim played it for the military to listen. It took place at Preaek Leab”].

1258 **D114/85** Chet Bunna WRI, A34 [“Meas Muth said that Dim and Chhan had plotted to remove him from his position and administer the division in order to form another government, which would oppose the Democratic Kampuchean Government”]. See also **D1.3.13.11** Sieng OCP Statement, EN 00217564 [“Dim disappeared in 1977 when there was the internal conflict”]; **D114/104** Iem Phong WRI, A50 [“*Ta Chhan* and *Ta Dim* were the deputy commanders. *Ta Chhan* and *Dim* were killed on charges of treason, and in fact they did have plans to rebel”].

1259 **D54/97** Khoem Yat WRI, A26-27 [“Dim was arrested because he was a traitor. Q: From whom and how did you learn that? A27: They spoke from one to another; everybody knew that. At that time, I was stationed in Koh Kong”]; **D114/95** Yoem Sroeng WRI, A64, 66-67, 226 [“The [people who were taken away] were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA. Q: Were all these people you just mentioned Cambodians? [...] A66: They were all under Meas Muth. For instance, Nget was Meas Muth’s deputy. Dim was under Meas Muth at the division level. Chhan was also at the division level. Yan was a regimental chairman. Sokh was division medical chairman [...] A67: I knew those people were called away, and two or three days later Regiment 140 Chairman Han told us in a meeting that those persons were enemies burrowing from within [...] Q: Yesterday, you said that some cadres were taken away, for instance Dim, Yan, Chhan, Nget, and Sokh. Is this correct? A226: My commander Han told me about this. All of them were considered traitors within the army’s ranks”]; **D54/51** Meas Voeun WRI, A13, 25 [Explains that because Dim used to navigate his ship close to the border of Thailand to check the activities of Thai fishing boats, he was suspected of planning to take a ship to escape to Thailand and was removed and transferred to the rear before disappearing. Further explains that instructions from Division 164 were that only commander Meas Mut had the authority to order any movement of vessels because he suspected that the deputy division commander Dim intended to take the vessels and flee]; **D54/8** Dol Song WRI, A14 [“Q: How did you know that Dim had been arrested and accused of being a traitor? A14: We learnt about this at unit meetings after the arrests had been made. It was announced at the meeting that those people had been arrested. I would like to tell you that it was not only me who knew about those arrests. Others in Division 164, whose names I mentioned in my interview with ADHOC, also knew about those arrests”]; **D114/20** Mak Chhoeun WRI, A21 [“Dim disappeared. We talked with colleagues in the division about his disappearance after we no longer heard his voice on radio”]; **D54/49** Em Son WRI, A21-22 [“Doem was Meas Mut’s deputy commander. Later, I heard that he was discharged from Division 164, but I did not know what happened to him. Q: How did you know about the disappearance of Doem? A22: My friends, Hok and Mon, who were the company commanders of Battalion 480, told me”]; **D54/13** Pres Mean WRI A11, 13 16; **D114/65** Chet Bunna WRI, A12 [“Dim was Meas Muth’s 1st deputy, and he was from the East Zone. Dim and Chhan had been arrested and smashed before I was transferred to the Production Unit”]; **D114/85** Chet Bunna WRI, A10, 21, 23-24, 26, 34; **D54/102** Ek Ny WRI, A1; **D54/104** Ek Ny WRI, A5, 9; **D54/8** Dol Song WRI, A7-8; Even Hun Sen mentioned Dim’s purge in an article published in Vietnam in 1978: **D69.2.20** BBC SWB, *Far Eastern Relations*, 14 Oct 1978, EN S 00013194, KH S 00810138, FR S 00793509 [Speaking of internal purges and elimination of CPK members: “After them were Chhan, commander of the 164th division stationed in Kampong Som, and Dum, political commissar of the division”].

1260 **D114/297.1.20** Pak Sok T. 16 Dec 2015, 14.23.54-14.26.15 [“*Ta Doem* [...] later had been arrested and disappeared. After his arrest, other arrests were made one after another, against his soldiers who were from

the east. No one left. Later on, his troops disappeared, and I had no idea at that time where the soldiers of Ta Doem were sent to [...] first Ta Doem was arrested. Later on, soldiers within his regiment were also arrested. Because Ta Doem had been arrested, perhaps there was something in Ta Doem's confession, but I did not know what was in his confession. The confession of Ta Doem implicated the soldiers of the regiment at that Kampong Som. And later on, the soldiers of the regiment were removed, but not sent back to the Eastern Zone, to my recollection [...] I never saw them again", 14.28.16 ["soldiers under Ta Doem were linked to the political tendencies of Ta Doem. The commander was already taken, so these soldiers were sent away. Soldiers from the East Zone were no longer trusted by the upper echelon, but I cannot tell you where these soldiers were sent"]; **D98/3.1.89** Kaing Guek Eav alias Duch, T. 8 Jun 2009, 16.23.03 ["I was focused on looking for the traitors and the strings of traitors"].

See fn. 1254.

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D54/8 Dol Song WRI, A12 ["Dim was transferred from the East Zone to be the deputy division commander of Meas Muth. At that time, those from the East Zone in the various division units were arrested"]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A20 ["Q: Were all the troops who had been sent from the East Zone to join the marine forces arrested and removed? A20: At the beginning they called and took away just the leaders. After that they removed all the rank and file"]; **D59/2/3.14a** Pak Sok (Pak Sokh) DC-Cam Statement, EN 01185002, KH 00958291 ["Afterwards, [Dim] was arrested, and all his subordinates in the division were taken away. Q: Where were they taken? A: They were taken to be killed. They were killed at Ream cliff. After they were killed, bulldozers were sent in to bulldoze the earth"]; **D54/26** Pak Sok WRI, A10, 33, 35-36 ["our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel. At Kang Keng, they had us to farm rice with hoes [...] First they came to call us using the pretext that *Angkar* had called us to study. When we arrived, they had us start working the rice fields right away. Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything. At that time, only the lower ranking subordinates were still alive: the leaders all disappeared and never returned [...] A33: Dim came from the East Zone along with a division of military to join Division 164. After Dim was arrested, those East Zone military personnel were arrested one after another. At the time, an East Zone soldier [...] Chriel suddenly disappeared. I think that those East Zone military who had been arrested might have been taken to be killed at that killing site too [Ream cliff or Chamnaot Ream], but I am not sure. About one month later, my battalion commander convened a political education course, during which he proclaimed that Dim, Koy Thuon alias Thuch, and some other leading personnel were all K.G.B and CIA of the Vietnamese and were all traitors [...] A35: I knew about the sweeping clean of the East Zone military once [...] They declared that it was alright to have fifty military members in a battalion provided those military members were good. In my memory, the sweeping clean of the East Zone military began in 1976 before I was sent to Regiment 140 [...] At the time they arrested the leaders first; then they arrested the soldiers. A36: [...] During the political course I heard that the arrests were conducted following the confessions of the leaders who had previously been arrested and taken away"]; **D54/13** Pres Mean WRI, A15 ["At the time, only the leadership echelon from the East Zone had been selected out. As for the ordinary soldiers, their weapons had been confiscated and they were sent to break rocks"]; **D54/36** Brak Sokha WRI, A2 ["Former East Zone soldiers were also in the mobile unit with us. They were accused of being traitors"]; **D54/33** Ing Chhong WRI, A20 ["After staying a week in Kampong Som, we were sent to Koh Kong Town to replace the East Zone group aboard PCF boats who had been removed"]; **D54/33.1** Y Chhon (Ing Chhong) DC-Cam Statement, EN 01073811, KH 00964200 ["700 soldiers from the East were integrated into the Navy, and later, some of them fled, and some were arrested and sent to be subdued [...] in the end, those from the East were all removed [Ta Dim was also removed [...] both high-ranking and low-ranking leaders were removed when there were serious conflicts"]; **D114/65** Chet Bunna WRI, A12 [About the command structure of the Regiment 140: "Ta Seng was the Regiment commander, and Ta Sam, who was from the East Zone, was the deputy. But Ta Sam was smashed at that time"]; **D114/86** Chet Bunna WRI, A30 ["Q: I would like you to look at this document, D1.3.5.9, which is in Khmer, ERN 0016147, from Tuol Sleng or S-21 Office. The document is entitled 'the Treacherous Forces at 164+ 152'. What do you think of this document? A30: I know No.1, Ket Sam, and No. 12, Kun Dim. These persons were well-known"]; **D114/219** San Chuon WRI, A16, 23 [(Surviving Division 164 East Zone soldier): "after a period of three months of co-existence with each other, there was no longer mutual trust. Then even later, they began to suspect that all of the Easterners were traitors [...] at the start of 1977, took us to chop down forest Kup, near Stung Hav. There were very many of the likes of me there, hundreds of persons [...] Maybe two or three months later, they withdrew my group from there, saying we were going up for

studies, but I didn't go yet [...] Once they had been removed to go for studies, they disappeared forever [...] Later on, they took me myself along with four or five others were also to go for studies, saying we were going for studies in the East Zone [...] When we reached a school on the road to Stung Hav they went up into a big house at that location. My group went in underneath the house. They then jumped down and surrounded us, pointed guns at us and arrested us. Having gotten us into arrest, they beat and kicked us, then trussed us up and led me to jail [...] they took the prisoners out one at a time to beat and interrogate them. After beating and interrogating them, in the morning, they chained them up to work [...] the next morning, three more prisoners were sent out, lashed with electrical cabling and interrogated, all in the same way. After one week or ten days, a new round of beatings and interrogation started [...] A23: they suspected the lot of us, that all the Easterners were traitors"; Pen Vy, an Independent Regiment 152 soldier who did not accompany his commander Dim and his deputy Sim in Kampong Som, testified that Sim's audio taped confession was played at a meeting at Prek Leab together with Dim's confession: **D54/40** Pen Vy WRI, A23-24 ["The upper *Angkar* said that the Sector 22 was full of traitors. At that time they played the audio tape on the confessions of Dim and Sim for the military to listen for them to believe that the two were really disloyal. I knew the voices of the two people clearly. Q: Who took and played the audio tape and where was it played? A24: The commander who replaced Dim played it for the military to listen. It took place at Preaek Leab"].

1263 **D54/44** Lon Seng WRI, A19, 22-24, 26-28 ["Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Muth, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers therefore, they had to be removed completely from the division. I am not sure, but I believe there must have been some competition among the division leaders. That was the reason those soldiers could not be put in the same division [...] A22: Yes, I also attended that meeting [...] A23: At the Division Headquarters in Kampong Som [...] A24: It was located near Leu Market where Ta Mut lived. The meeting was held at a former cinema [...] Q: Was the announcement about the East Zone made in the permanent meeting or in any special meeting? A26: The announcement was made in a special meeting where only certain battalion and regiment leaders were selected to attend. The announcement about the East Zone soldiers was not made publicly. I remember that those East Zone soldiers were not informed because they were regarded as enemies. They only mentioned that those soldiers would be sent to get training in order to see whether or not they could be reformed. For those soldiers who could be reformed, they would then be sent back to their original units. For those who could not be reformed, they would be kept for further training. During the training period, the history and biography of each soldier was investigated. They even went to the soldiers' hometowns to obtain information. Q: Who made the announcement in that training meeting? A27: The chief of division, Meas Mut. Q: Was the phrase 'to investigate at their (soldiers') hometowns' your own words, or was it said by Meas Mut? A28: The chief of the division Meas Mut advised the regiment commanders to obtain information on historical backgrounds of the East Zone soldiers from their hometowns, in order to find out whether or not those soldiers had good backgrounds"; **D114/85** Chet Bunna WRI, A18-20 [about the arrest of Kung Kien alias Oeng Vet: "I also knew him because he taught us and talked with us. Everyone was aware of his arrest, because he was a prominent figure. At that time, he lived at Kang Keng Airport [...] A19: he was arrested about a month after Dim and Chhan had been arrested. They had to arrest all of the people who were under Dim's and Chhan's command, and this arrest was also made public. Q: Did Meas Muth announce this arrest publicly? A20: Yes they did"].

1264 **D54/93** Yem Sam On WRI, A32 [Division 164 cadre sent to Shanghai in July 1976 to learn how to repair and maintain ships, explains that the East Zone soldiers from Division 164 who were sent to study the use of ships in China were sent back to Cambodia in 1977 or 1978 "before they had even completed their studies"].

1265 **D54/44** Lon Seng WRI, A6 ["Before 1977, I was still in Kampong Som. I knew that 1500 soldiers from the East Zone were disarmed and sent to the Big Production Unit in Putth because they were considered as bad-element soldiers"]; **D54/45** Lon Seng WRI, A13 ["Later, those [East Zone] soldiers were sent to the big production unit in Putth [close to Bet Trang]"]; **D54/13** Pres Mean WRI, A15 ["At the time, only the leadership echelon from the East Zone had been selected out. As for the ordinary soldiers, their weapons had been confiscated and they were sent to break rocks"]; **D54/97** Khoem Yat WRI, A10, A29 ["At that time both the East group and the Southwest group were all gathered up because it was heard that our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel. At Kang Keng, they had us to farm rice with hoes instead of using cattle to plough. First they came to call us using the pretext that *Angkar* had called us to study. When we arrived, they had us start working the rice fields right away. Some people also disappeared at that time -they disappeared and never

returned- and none of us dared ask or wonder about anything. At that time, only the lower ranking subordinates were still alive: the leaders all disappeared and never returned [...] Q: What happened within the division after Dim was arrested? A29: After we heard that news generally, we did not dare to make any complaints. We did whatever they ordered. We stayed wherever they ordered us to stay. After that arrest, many companies and units were collected to work at Kang Keng”]; **D2/16** Touch Soeuli WRI, A21 [“Q: You told us two days ago that not all the East Zone troops disappeared forever, but some were taken to do rice farming, is it right? A21: Yes, it is right. I knew that some troops were removed and taken to do rice farming in the areas near the Kang Keng Airfield”]; **D54/36** Brak Sokha WRI, A2 [“Former East Zone soldiers were also in the mobile unit with us. They were accused of being traitors”]; **D114/219** San Chuon WRI, A16; **D114/66** Chet Bunna WRI, A19 [“At that time, in the Division 164 there were three units which were classified as the not-good-element units. Among those three units [...] The Battalion 21 was in the Babos East, and this unit was under Ta Kheng. There were over 200 soldiers in this Battalion unit, and they all were the former troops from the East Zone. Whenever there was anyone in the not-good-element had made a mistake, he/she would be sent to be detained in Teuk Sap. During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank”]; **D54/33.1** Y Chhon (Ing Chhong) DC-Cam Statement, EN 01073812, KH 00964200-01 [explains that some East Zone soldiers were subdued in mobile units, perhaps in the area of Kang Keng airport].

See **VIII.E. Stung Hav Worksites; VIII.F. Ream Area Worksites.**

See, e.g., **D22.1.34** Meas Soeun WRI, EN 00425894; **D98/3.1.58** Kaing Guek Eav alias Duch WRI, EN 00160724; **D1.3.33.9** Kaing Guek Eav alias Duch WRI, EN 00178061; **D4.1.520** Ke Pich Vannak WRI, EN 00346155 [“They purged ... cadres and commanders of the whole East Zone”]; **D114/297.1.40** Long Sat, T. 1 Nov 2016, 15.11.01; **D1.3.17.5, D6.1.1105** Ben Kiernan, *The Pol Pot Regime*, EN 01150206-07.

D114/297.1.20 Pak Sok T. 16 Dec 2015, 14.23.54-14.26.15 [“Ta Doem [...] later had been arrested and disappeared. After his arrest, other arrests were made one after another, against his soldiers who were from the east. No one left. Later on, his troops disappeared, and I had no idea at that time where the soldiers of Ta Doem were sent to [...] first Ta Doem was arrested. Later on, soldiers within his regiment were also arrested. Because Ta Doem had been arrested, perhaps there was something in Ta Doem's confession, but I did not know what was in his confession. The confession of Ta Doem implicated the soldiers of the regiment at that Kampong Som. And later on, the soldiers of the regiment were removed, but not sent back to the Eastern Zone, to my recollection [...] I never saw them again”], 14.28.16 [“soldiers under Ta Doem were linked to the political tendencies of Ta Doem. The commander was already taken, so these soldiers were sent away. Soldiers from the East Zone were no longer trusted by the upper echelon, but I cannot tell you where these soldiers were sent”]; **D59/2/3.14a** Pak Sok DC-Cam Statement, EN 01185002, KH 00958291 [“Afterwards, [Dim] was arrested, and all his subordinates in the division were taken away. Q: Where were they taken? A: They were taken to be killed. They were killed at Ream cliff. After they were killed, bulldozers were sent in to bulldoze the earth”]; Another translation of the same interview (with corrections made by Pak Sok) can be found under: **D54/24.1** Pak Sok DC-Cam statement, EN 00978580, KH 00955511-12 [“After they arrested Dim, all of his troops of a division unit, who had come with him [from East Zone], were taken away. Q: Where did they take them to? A: They took his troops to be killed at a place near the Ream slope. After the killing, they used tractors to drag the earth to bury the corpses”]; **D54/26** Pak Sok WRI, A10, 33, 35 [“our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel. At Kang Keng, they had us to farm rice with hoes [...] First they came to call us using the pretext that *Angkar* had called us to study [...] Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything. At that time, only the lower ranking subordinates were still alive: the leaders all disappeared and never returned [...] A33: After Dim was arrested, those East Zone military personnel were arrested one after another [...] I think that those East Zone military who had been arrested might have been taken to be killed at that killing site too [Ream cliff or Chammaot Ream], but I am not sure [...] A35: I knew about the sweeping clean of the East Zone military [...] They declared that it was alright to have fifty military members in a battalion provided those military members were good. In my memory, the sweeping clean of the East Zone military began in 1976 before I was sent to Regiment 140 [...] At the time they arrested the leaders first; then they arrested the soldiers”]; **D54/33.1** Y Chhon (Ing Chhong) DC-Cam Statement, EN 01073811, KH 00964200 [About the 700 East Zone soldiers: “some of them fled, and some were arrested and sent to be subdued [...] in the end, those from the East were all removed”], EN 01073818, KH 00964206 [“Q: When were Ta Dim and his 700 subordinates removed and sent to be subdued? [...] Was it long after they arrived there? A: Yes, it was a long

time after they arrived. Some of them who had escaped were captured. I do not remember what happened, but most of them were smashed. Q: Were they smashed? A: Yes” (*emphasis added*); **D114/219** San Chuon WRI, A16, 23, 38 [Surviving Division 164 East Zone soldier: “later, they began to suspect that all of the Easterners were traitors [...] at the start of 1977, took us to chop down forest Kup, near Stung Hav. There were very many of the likes of me there, hundreds of persons [...] Maybe two or three months later, they withdrew my group from there, saying we were going up for studies [...] They then jumped down and surrounded us, pointed guns at us and arrested us [...] they took the prisoners out one at a time to beat and interrogate them. After beating and interrogating them, in the morning, they chained them up to work [...] A23: they suspected the lot of us, that all the Easterners were traitors [...] A38: Seng and [...] Chhy. They fled, but were captured and put back in jail and were then beaten to the point of death”]; **D114/209** Moeng Seng WRI, A46, 52 [“I learnt that *Angkar* called them to be educated and then they disappeared [...] A52: We were afraid because people went missing one after another. That regime was very strict. This scared me”]; **D114/66** Chet Bunna WRI, A19 [“The Battalion 21 was in the Babos East, and this unit was under Ta Kheng. There were over 200 soldiers in this Battalion unit, and they all were the former troops from the East Zone. Whenever there was anyone in the not-good-element had made a mistake, he/she would be sent to be detained in Teuk Sap. During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank”]; **D2/16** Touch Soeuli WRI, A21 [“Q: You told us two days ago that not all the East Zone troops disappeared forever, but some were taken to do rice farming, is it right? A21: Yes, it is right. I knew that some troops were removed and taken to do rice farming in the areas near the Kang Keng Airfield”]. Among the rare soldiers who survived are San Chuon (WRIs **D114/219** and **D114/220**) and a soldier Witness Pak Sok remembers as Chhean, who ended up working forcibly at the Kampong Chhnang Airport Construction Site and managed to survive the harsh conditions and killing of former East Zone soldiers there: see **D234/2.1.92** Pak Sok, T. 26 Jan 2016, 10.36.49-10.39.53. *See also* **D54/96** Teng Sarim WRI, A19 [explains that he personally does not know anyone from former Regiment 152 who survived and returned from Kampong Som but heard from the former Governor of Ou Reang Ov District that two persons named Saroeun and Yat survived].

1269 **D54/8** Dol Song WRI, A12-13, 15, 18 [“At that time, those from the East Zone in the various division units were arrested [...] A13: Dim and other East Zone people were taken away [...] Q: in which year the East Zone group were arrested? A15: [...] It was probably at the end of 1977 or early 1978. These arrests were done at the same time as the fighting between the East Zone military and the Vietnamese soldiers at the border [...] Q: In your Regiment 140, how many East Zone people were removed and how many of them were arrested? A18: I did not know. The sweeping clean was done seriously. Not only East Zone commanders were arrested; other soldiers in the division were also removed or arrested”].

1270 **D114/307.6** Meas Muth statement to VOA, *Tribunal Suspect Find Court’s Role ‘Limited’*, 6 Oct 2011, EN 00746178 [“Sun Tzu says it is better to betray people, to make sure people don’t betray you. If you oppose me, I will certainly not keep you [...] there are a lot of people who have the idea of opposing the Khmer Rouge regime, like the US and Vietnam. Therefore, there were a lot of their agents infiltrating, who were actively making the regime loose, like the slogans “Burn until it’s scorched” and “Put out the fire to make it uncooked”].

1271 **D1.3.34.60** Telegram 00 from Meas Muth to Committee 870, 31 Dec 1977, EN 00184995, KH 00001325 [“We have received the guiding view and the declaration of the Party about the aggression of the Yuon who have come to swallow the territory of our Motherland. We [...] 2. 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” (*emphasis added*)]; The content of this telegram was commented upon by Ek Ny: **D114/284** Ek Ny WRI, A4-6 [emphasis added] [“Q: The telegram which Ta Muth sent to *Angkar*, Document with English ERN 00184995 and Khmer ERN 00001325, was related to the topic of the Yuon. How did they indoctrinate their ideology to the low ranking soldiers? A4: It was right as I said; it was right. It had to be like that, not different from that. We had to purge and destroy them from the inside. Q: We want you to explain the terms purge or destroy [...] A5: Those who were related to this were Khmer, the soldiers. When they used the term ‘purge’ in the army, they referred to the Yuon network. However, we did not care with which network they were affiliated. We simply purged them from the inside, from within the army. Q: Are the words you read in the telegram the same as those you were taught in the meetings? A6: Yes, they are. Everything is the same”]; **D54/98** Heang Ret WRI, A57 [“Purging the enemy was internal screening meaning that those who found to have affiliations with foreign politics or

serving foreign interests were purged in order to make the Party internally clean. The word "purge" meant removed or killed"]; As Son Sen recalled all Centre divisions chairmen: **D1.3.27.26** DK Military Meeting Minutes, 1 Mar 1977, EN 00933841, KH 00052308-09, FR 00323927 [Son Sen: "each and every one of the traitorous forces in our country is connected to the enemies on the outside. Revolutionary vigilance means constant absolute storming attacks on the enemies boring from within" (*emphasis added*)]; **D54/13** Pres Mean WRI, A4-5 ["Why did *Ta Mut* call that meeting? Was it a special event? A4: It was not a routine meeting. In 1977 the situation was in turmoil. The Communist Party of Kampuchea was supported by China; the Workers Party was supported by Vietnam; and the American CIA and the KGB were in amongst the people. So they had to screen out all of those people. Q: Is this your own idea, or did someone tell you this? A5: *Ta Mut* announced it in the meeting. It also impacted me because I was also in Sector 37"]; **D54/8** Dol Song WRI, A11 ["Q: What did the phrase 'build forces' mean in relation with the responsibility of Meas Mut as the division commander? A11: In my opinion, it referred to the purification of forces in order to ensure that every soldier was clean and was not involved with any bad elements, the CIA or KGB"]; **D114/58** Sam Saom alias Ket WRI, A26 ["In the study session that Meas Muth attended did he or other speakers talk about the situation of the enemies including the internal and external enemies? A26: Yes, they did. But I do not remember. I did not understand those matters. They talked about KGB, the Vietnamese spies and so on"].

See **VIII.A.3.a) Division 3 Soldiers Captured and Detained in Vietnam in 1975**, fns 1180-1184.

See, e.g., **D54/26** Pak Sok WRI, A33 ["Dim came from the East Zone along with a division of military to join Division 164. After Dim was arrested, those East Zone military personnel were arrested one after another. [...] my battalion commander convened a political education course, during which he proclaimed that Dim, Koy Thuon alias Thuch, and some other leading personnel were all K.G.B and C.I.A. of the Vietnamese and were all traitors"]; **D54/104** Ek Ny WRI, A10 ["One day before my unit was disarmed and after Doem disappeared, I heard soldiers in the same unit, saying Doem and Chhan had been sent to control water pumps at Boeng Chheung Ek. At that time, I believed that it was true, but later on *Ta Mut* announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested. In 1979, I just realized that S-21 and Boeng Cheung Ek were a prison and an execution site"]; **D54/103** Ek Ny WRI, A8 ["During that time, there were approximately 500 participants including about 100 former soldiers of Unit 86 (386) who had been disarmed [...] *Ta Muth* said in the meeting that everyone had to keep the former soldiers of Unit 86 under surveillance. He said that former soldiers were all in KGB and CIA networks. He said KGB and CIA networks had not been completely destroyed. They were hiding within our ranks, so we had to keep them under constant surveillance"]; **D54/76** Uy Nhik WRI, A19 ["Q: Which unit came to purge/sweep clean and disarm the Sector 37 soldiers and the East Zone group? A19: Senior leaders from above came to have a meeting with us in Sector 37 and told us that we were involved with Vietnamese organization. In our Sector at that time, the daily food rations were difficult and we only ate porridge"]; **D114/120** Oum It WRI, A28; **D54/13** Pres Mean WRI, A4-5.

See, e.g., **D4.1.480** Dy Yet alias Pech WRI, EN 00275131 ["During 1975-1976 and later on as well, accusations were made against people that they were former Lon Nol regime officials or CIA agents; these were serious offenses."]

For example, **D4.1.653** *Revolutionary Flag*, Jun 1977, EN 00446862, KH 00062809, FR 00487724 ["We go on the offensive against the enemy and continue to sweep them clean even more strongly. 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" (*emphasis added*)]; **D4.1.883** *Revolutionary Flag*, Apr 1976, EN 00517853, KH 00062747, FR 00499716 ["Imperialist ringleaders were all expelled from our country, their servants of every type were liquidated permanently and disappeared"]; **D234/2.1.33** Khieu Samphan Speech, 15 Apr 1978, EN S 00010563 KH 00249990, FR 00280380 [Khieu Samphan calling on cadres to "exterminate resolutely [...] all CIA agents"].

D4.1.862 *Revolutionary Flag*, Apr 1977, EN 00478496, KH 00062986, FR 00499754; see also EN 00478502 KH 00062993, FR 00499759 ["One very important issue that has to be concentrated on is clearly unmasking again and again the 'CIA' and their agents, the 'KGB and their agents [...] 'Y[uon]' and their running dogs [...] permanently clean"].

D54/87 Prum Sarat, A115-116, 119 ["That is the policy I mentioned above: the first enemy was the Yuon and the second enemy was the internal enemy. Q: You attended meetings where instruction on major policies was provided, one of which was about purging enemies and the Yuon enemy. What happened if a particular cadre failed to implement such instructions? A116: After the meetings to instruct the implementation of major policy and reading those documents, each cadre tried their best to do it from their way of thinking and to the

best of our abilities[...] If we did not follow this, *Angkar* would take us for study and education [...] A119: No one ever returned -- they disappeared"; **D54/23** Pak Sok WRI, A30-33 ["Could you and the people in your unit refuse to implement an order to kill [Vietnamese on boats] if you thought that the killing was unreasonable? A30: No. We absolutely could not refuse orders; if we had done so, they would have killed us. Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive. But at the time, the Khmer Rouge considered the Vietnamese as hereditary enemies [...] the Vietnamese were considered the Hereditary Enemy and Enemy Number One"; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.55.47-10.58.13 ["The Vietnamese were considered as the hereditary enemy of Pol Pot, so regardless of whether they were military or civilians, when they had guns and shot at us, they must be shot and sunk"], 13.31.00-13.36.35 ["After 1976, there was a training session, and they announced clearly about the hereditary enemy of the Khmer, that was "Yuon" [...] the trainer was the commander of each battalion who received the order from the upper level [...] At that time, when we studied about the hereditary enemy, so no one dared to debate about what we were taught about the hereditary enemy, and we needed to follow what we were taught [...] We were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them"]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.14.05, 14.41.09-14.42.57 ["To comply with the rules and regulations of Revolutionary Democratic Kampuchea, no release after the arrests because we learned that Vietnamese were our hereditary enemy"].

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For example, **D114/208** Long Phansy WRI, A30-32, 35, 40 [Former Chief of Battalion 612, Division 164: "The problem for which I was removed from the unit emerged from the finding of their examination that I was CIA-KGB. After they took me to unit 612, they kept me under surveillance and examination; that is, when I went down to work, when work was handed over to me, their examination that in my unit there were broken metal bars and broken cask gaskets. They accused me of wrecking [...] A31: The ones who arrested me were regiment, Moeurn and Lan [...] A32: At that time, those at the meeting had only just sat down and were opening their books, when the military simply arrested me. I had not brought my bodyguard with me [...] they pointed their guns at me and had me raise my hands, then tied both. After that, they took me from Stung Hav to be detained at Stung Hav jail for interrogation [...] A35: They handcuffed my hands behind my back and chained both my feet. In the morning, they started to interrogate me. First, they said, "Whose CIA-KGB are you? What is your rank? I answered, "I do not know because I really do not know. " Later, they began to torture me using [...] whips to beat me. They beat me non-stop, until the whips piled up in the interrogation place. They beat me to get me to reply with my rank and which group I was. I fainted twice in the morning, and I fainted once later during the day. The types of torture were: first, beating with whips; second, whipping with stingray's tail; third, electric shock by wire (called *rakanau* using a wire emitting electricity to apply the shock to a human being). They cut the stingray's tail off and dried it so that it shrunk like a whip [...] A40: Both jails were within Division 164, because the Tuek Sab jail was for a reduced punishment jail. At the Toek Sap jail, they reduced the punishment"]; **D114/95** Yoem Sroeung WRI, A64 ["Q: Can you tell us the names of people you knew who were taken away? A64: They were Nget, Dim, Yan, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA"]; **D114/79** Kang Sum, WRI A91 ["Q: Why were you not trusted anymore? A91: Because I was told that I had previously worked with the Vietnamese and had received indoctrination from them. I was told that then I was a member of the KGB or another espionage group"]. See also **VIII.A.3. Categories of Bad and Affiliated Elements Within Division 164 that Were Purged – The Sector 37 (former Battalion 386) Network under Hoeng Chey Han alias Chhan, Division 164 Committee Member; VIII.A.3. Categories of Bad and Affiliated Elements Within Division 164 that Were Purged – The East Zone (Sector 22) Network under Hoeng Doeun alias Dim, Division 164 Deputy Commander; and VIII.D. S-21 Security Centre.**

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D54/8 Dol Song WRI, A3 ["if the regimental chairman was arrested, his wife and family would also be arrested. However, I did not know what they did to those arrestees afterwards. In general, at that time, once arrested, the person would disappear forever. If a soldier was removed from his unit, he might be sent to work at another place. If a soldier was arrested, he would disappear. As I previously mentioned, if a regimental commander was arrested and accused of being a traitor, or a KGB or CIA agent, his wife, children, messenger and close acquaintances would also be arrested. In particular this applied to people accused of having connections with the Vietnamese"]. It is precisely because she knew she would be arrested that Rem's wife decided to abort their unborn child to prove her loyalty to the CPK: **D54/102** Ek Ny WRI, A3 ["Rem was killed later after this meeting [with Meas Muth]. After Rem was killed, his pregnant wife went to have an abortion because she wanted to show her loyalty and that she was a true revolutionary, who did not want to

have any connection with Rem's blood"]. S-21 records show for example that Hem Ang alias Sin, the wife of Sokh, Division 164 Hospital chairman, was arrested after him and precisely for the motive that she was the "wife of A Sok" who was considered to be a "Vietnamese spy or CIA": **D114/230.1.1** OCIJ S-21 Prisoner List, No. 7383 [female medic Hem Ang alias Sin, identified as the wife of Secretary Sok – entered 26 or 28 April 1977, executed 29 April 1978], No. 13137 [Soem Neam alias Sok, Chief of Division Hospital, Division 164, died on 4 May 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 10; **D1.3.28.19** S-21 Interrogation List, EN 01226578 [Entry 1 - Hem Ang alias Sin, Politics of Company, Division Medic, Wife of A Sok; date of entry: 26 April 1977]; **D114/95** Yoem Sroeung WRI, A64 ["They were Nget, Dim, Yam, Chhan, Sokh and so on. They were accused of being Vietnamese spies or CIA"]; **D114/155** Sok Ren WRI, A61 [both Doctor Sokh and his wife died]; **D54/104** Ek Ny WRI, A2.

1280 **D114/25** Ou Dav alias Soeun WRI, A25-26 [Division 164 soldier arrested then interrogated under torture on a ship near Koh Sdach before being sent for tempering in Koh Kong: "First they ordered me to write my biography, and then they asked me when I joined the CIA and whom I joined with. They warned me to say only the truth or the Party would kill me. After the third question they took out a gun and pointed it at my ear, warning me that if I did not tell the truth, they would shoot me and drop me into the water to be eaten by fish. But I maintained that I had never joined the CIA and that I had always served and was loyal to the Communist Party of Kampuchea. Q: After torturing you, where did they take you? A26: After torturing me, the interrogators conversed with each other [...] At that time, they removed the handcuffs from me and the other three people. And then they told me to accept the condition, "If *Angkar* or the Party releases you, you must not speak about the electrocution torture." After that, they sent me to Koh Kong to work at a blacksmith workshop [...] where I had to be tempered, reeducated, and refashioned"]; **D114/208** Long Phansy WRI, A35; *See also* **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940350-51, KH 00052411, FR 00334980 ["Comrade Mut: I would like to speak about the concern shown with the activities of the traitors within the Party [...] We have been indoctrinated with the Party's standpoint that a correct standpoint analyses these enemies as being American imperialists and revisionists with plans to attack our Revolution [...] No-good elements or enemies are still camouflaged and infiltrated in the rank"].

1281 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940344, KH 00052407, FR 00334976 [Son Sen (Bang 89) explained that Chakrei, Ya, Chhouk and Keo Meas were traitors to Vietnam and had been smashed, and said: "the important thing is precisely that our army be clean and pure"]; **D1.3.33.12** Kaing Guek Eav alias Duch WRI, EN 00204296 ["Pol Pot [...] stated that Koy Thuon and Ya "were CIA agents, in conformity with S-21 confessions"]; **D1.3.33.5** Kaing Guek Eav alias Duch WRI, EN 00147584-86 ["People were arrested based on the confessions of others who implicated them. The serious accusation was being CIA members [...] Kang Chab was accused of being a CIA member [...] The words CIA, KGB [...] were proposed by the interrogators. These words were the result of two meetings with Son Sen"]; **D114/165** Prak Khan WRI, A10 ["the interrogation had to focus on certain topics for example a prisoner would be interrogated on the affiliation with the CIA, the KGB or Vietnamese. In that regard we had to obtain the confession on their network"]; **D4.1.523** Ban Siek WRI, EN 00360757 ["The meeting was chaired by Son Sen, who sat alone at the table, while all of us sat lower. The meeting mentioned that the CIA was the running dog of the American and the KGB served the Yuon. A slogan reading "Smash all the CIA and KGB" was hung on the wall"]; **D1.3.17.6** Stephen Heder and Brian D. Tittmore, *Seven Candidates for Prosecution*, EN 00393517 ["Thus, confessions were rewritten under the interrogators' instructions to portray failures in the implementation of CPK economic, military and other policies as resulting from anti-CPK plots directed by foreign intelligence agencies. More particularly, the confessions were crafted to demonstrate that CPK policies were not achieving their goals because the structures that CPK leaders had created to implement those policies had been infiltrated by Cambodian agents of CIA, KGB, Vietnamese and other suspected enemies"]

1282 *See, e.g.,* **D54/26** Pak Sok WRI, A35 ["I knew about the sweeping clean of the East Zone military once, and once again in 1976 when they [the Khmer Rouge] wanted to screen for good military and sweep clean the military personnel whose words had impacted *Angkar* and the military personnel who were lazy. They declared that it was alright to have fifty military members in a battalion provided those military members were good"]; **D54/7** Dol Song WRI, A16-17 ["as a commander of a marine division, Meas Mut was [...] responsible for screening the biographies of the marines and deciding whether to arrest or anyone who had committed mistakes [...] A17: [...] At that time, anyone who committed mistakes would be arrested. there was no court to rule whether the person was innocent or guilty"]; **D54/8** Dol Song WRI, A2-3 ["The wrongdoers referred to those soldiers in the division who had committed mistakes"].

- 1283 **D114/25** Ou Dav alias Soeun WRI, A20 ["The Khmer Rouge took the soldiers who made mistakes [...] to quarry rock at Stueng Hav rock quarry site to build a pier. And I heard about other places where the soldiers who made mistakes [...] were killed, such as Ou Trav"]; **D114/126** Ou Kim WRI, A22 ["Q: When you were stationed on Koh Tang Island, did you see them take people away because of mistakes or no-good biographies? A22: When I was on Koh Tang Island, I saw only one such case, in which a person stole fellow soldier's clothes. The person was sent to Kampong Som [...] The person's name was Koeun [...] I never saw him again afterwards"]; **D114/194** Sorn Sot WRI, A72 ["At that time, they undertook self-criticism sessions. If anyone lost his gun, he would be removed. Whenever there was damage to property, for instance if one drove a car and it got burnt, he would be arrested. If one abandoned the battlefield, he would be removed. Those people were removed from the military and sent to work"]; **D54/35** Brak Sokha WRI, A17 ["I was transferred there in 1976. In 1977, but I do not remember the exact date, my mobile unit was sent from Preaek Chak to the Kang Keng area, where we were ordered to work in Praboh and Pu Thoeung Villages north of National Road No.4 and opposite Bet Trang Village. There, we were ordered to cultivate rice and raise dams until the end of 1977. At that point in time, they told us we would be sent on to Stueng Hav, not to Tuek Sab, because we had committed only minor offenses. During early 1978, I was sent to Stueng Hav. There, I was ordered to dig a circular pit 30 metres in diameter and to a depth of 10 metres at the foot of a hill, below the house for Chinese guests. The Chinese examined the pond every week. I was also ordered to break stones in Stueng Hav until the Vietnamese arrived" (*emphasis added*).
- 1284 **D54/30.1** Soem Ny DC-Cam Statement, EN 01070548-49, KH 00964114 [The detainees "were associated with the political tendencies of those who had appointed them, or they had the tendency to commit moral offenses. There were different levels of moral offense. For example, if both sides were wrong. If I loved a woman and that woman also loved me and we were discovered, both of us would be sent to another location to do farming. On the other hand, if the woman did not love me, and I loved her alone, it would be abuse. Consequently, they would send me to Wat Enta Nhien. For example, if there were a problem because the food was insufficient and we had to work hard, there was a problem, but it was not a big issue. For example, people picked up coconuts to eat occasionally and their lower-ranking leaders who wanted to get credit, so they exaggerated their reporting. Consequently, those people were sent to Wat Enta Nhien as well"]; **D54/20** Sam Saom WRI, A12 ["I was on a remote island, but I heard that whenever anyone was arrested or disappeared, they would be sent to Tuek Sap Prison which was a sector/regional prison under the control of Meas Mut"]; **D54/98** Heang Ret WRI, A139 ["In case someone made a mistake and was advised three times and did not correct himself, that person was regarded as committing a serious mistake and sent to Tuek Sab"]; **D123/1/2.11a** Heang Ret DC-Cam statement, EN 00974121, KH 00926573-74 [Speaking of Toek Sap (fresh water): "If they still committed the same infraction, even though they had been transferred somewhere else, they would be sent to the re-education centre [...] Q: So, were any disobedient combatants who had committed wrongdoing again and again sent to that re-education centre? A: Yes"]; **D54/36** Brak Sokha WRI, A22 ["For serious offence prisoners they were sent to Teuk Sap. For light offence prisoners they were sent to Steung Hav for tempering"]; **D114/86** Chet Bunna WRI, A14 ["If someone committed a mistake, he would be taken to another place. I did not know where the place was; it could have been Tuek Sab. Rarely did those people who were taken away return. As I have told you, they took away three people from my unit. After the collapse of the Khmer Rouge regime, I met only one of them who made it alive. Had the Khmer Rouge regime not collapsed, he would not have survived"]; **D114/66** Chet Bunna WRI, A15 ["We were very afraid of this place because our leaders always warned us to be careful not to make any mistake, otherwise, we would be sent to Wat Enta-nhean Pagoda"]; **D114/83** Sok Neang WRI, A31 ["I heard that there was a prison named Toek Sab, and offenders were taken to be re-educated there"]; **D54/27** Pak Sok WRI, A9 ["Division 164 military personnel who had criticized the policies of that regime were detained at Teuk Sap"]; **D114/40** Moul Chhin WRI, A2 ["first I was detained in Tuek Sab Prison for three days. At that time, they shackled my ankle to a pillar but they did not bind my hands, nor beat me when they were interrogating me. Other prisoners considered as 'serious crime prisoners' were tied with their hands behind their backs and with one of their ankles shackled to a pillar. Later, they sent me from Tuek Sab to be detained in Wat Enta Nhien Pagoda"]; **D54/87** Prum Sarat WRI, A118-120; **D54/37** Soem Ny WRI, A4; **D54/48** Em Son WRI, A44; **D54/111** Sam Phin WRI, A15.
- 1285 See **VIII.C.3. Wat Enta Nhien Security Centre; VIII.C.4. Toek Sap Security Centre.** For example, **D54/102** Ek Ny WRI, A23 ["Teuk Sap was also a prison of Division 164 for detaining serious crime prisoners. They detained ordinary soldiers, who had committed serious crimes, in Teuk Sap; and that place was also the execution site. Teuk Sap was a place where the prisoners were severely tortured. It was a prison.

It was not a security center. Some prisoners were pierced through the ear to make a hole so that they [soldiers] could insert a rope through the hole to tie them together in group. They inserted a rope through the ears of 5 to 10 prisoners together to prevent them from escaping. They used the prisoners to carry timbers, build house and do different kinds of works”; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217559 [“The witness stated that the Wat Eng Tea Nhien was a detention facility. When he first went there in April 1979 he saw the shackles and blood. On one wall was a place where detainees were shackled by the neck, standing. The torture facility was in the monastery, in one large hall. There were about 10 wooden shackles. The detention facility was under [...] Meas Mut who was in charge of the city”; **D54/32** Soem Ny WRI, A5, 13-14, 30 [“Those prisoners were sent to be 'educated' and corrected at that pagoda [...] At night those prisoners were shackled on their leg at the detention site. After breakfast the prisoners were moved out to clean the [prison] premise; then they lined up for at attention. After that each of them were shackled with one and a half metre chain around their legs, and then they were given a knife each to work in the tapioca farm [...] I met some prisoners who used to be a soldier in the same unit with me [...] A13: What were the food rations of the prisoners at Wat Enta Nhien Pagoda that you saw like? They were given 50 per cent of the average citizens' food rations, a can [of rice each] per day. They ate collectively -a ladle of rice each at a time. Q: How did you know? A14: I asked the prisoners whom I met [...] A30: Those prisoners were very thin, and they looked so frightened. Their trousers legs were torn by the chain which was tied around their ankles”].

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See **VIII.C.3. Wat Enta Nhien Security Centre; VIII.C.4. Toek Sap Security Centre; D114/66** Chet Bunna WRI, A17-18, 24 [“I knew clearly Teuk Sap was a prison and the killing place because I saw them killing people there [...] I had been removed from the unit in 1977 and forced to work in the rice field. During that time, when I was assigned to work near that river, I saw human dead bodies floating in the river near the Teuk Sap Prison. We knew that Teuk Sap was a prison from a person named Thou who was among the three soldiers arrested from my unit earlier and sent to that Teuk Sap place. Among those three soldiers, two of whom have disappeared forever, and only Thou has survived [...] A18: Thou told me that when the Vietnamese troops arrived, there were about 20 prisoners only still alive at the Prison. Thou told me that during the time he was being detained in that place, there were about 100 prisoners being detained with him. When I asked Thou what had happened to the other two soldiers, Doeun and Roeun who had been arrested along with him from my unit, Thou told me that those two men had been taken out from the Teuk Sap Prison and disappeared forever”; **D114/96** Cheng Laung WRI, A29-30 [“I heard that people were taken to be killed, and buried in Tuek Sab [...] A30: I remember that those people who were arrested and taken from other places were sent to Tuek Sab. Some people said that the arrested people were also taken from the islands. Presently, the grave site has been cleared with a bulldozer and earth has been dug to build roads and used to fill the low-lying land”; **D114/3** Lak Saphan WRI, A4 [“Tuek Sab was [...] a restricted place, and they banned people from approaching it [...] only Khmer Rouge soldiers lived there. During that era, everybody knew that if the Khmer Rouge arrested people and took them to Tuek Sab, that was the end of them”]. See also **D114/16** Sok Vanna WRI, A17-18 [“At that time, both the people and the military were arrested and imprisoned, and others were killed straightaway. When they arrested anyone, they would take that person to be killed. There was no resolution or negotiation. Q: How did you know that? A18: The people who were arrested always disappeared. I never saw them return”; **D54/87** Prum Sarat WRI, A119 [“Q: Usually, when the unit sent those people for re-education or tempering, did they ever return to their original unit? A 119: No one ever returned -- they disappeared”; **D54/78.1** Nop Hal DC-Cam statement, EN 00968415-16, KH 00926640 [“Q: It was like that someone who went to study would disappear? A: Yes, they disappeared. They were not seen come back”].

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D114/31 Moul Chhin WRI, A123, 125 [“The people were not maltreated or beaten during their work, but every evening a meeting was organised to criticise inactive workers. Each person could be criticised only three times. A fourth criticism would cost their lives. It was said that ‘In the Democratic Kampuchea regime, there are no prisons to hold people, only pits to hold people’ [...] A125: [Speaking of disarmed Battalion 386 soldiers] Q: In the criticism meetings, did they talk about enemies? A125: They said that those who were sick, tired, and could not work were lazy, pretended to be sick, and served enemy tricks. Those people were taken to be killed in the forest behind the cooperative”; **D114/130** Iem Phong WRI, A99-101, 104-107 [“I do not know, but after Ta Chhan was gone, we were regarded as having affiliations/tendencies. They ordered us to break stones during the day, and they provided us this much porridge-like rice (about a palm full), day and night. During the day we broke stones, and at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers. Q: Who took the personnel in the unit to be killed? A100: I do not know. Q: How many people were arrested like you said? A101: They took two or three

personnel to be beaten to death. When we worked, there were life-view meetings. If they suspected us, they would take us away, and we never knew where they would take us. I never saw the personnel taken away return”]; **D114/85** Chet Bunna, WRI A5-6 [“We were considered the same as prisoners. We were not detained, but we were tempered. If they were not satisfied with our work, they would send us to Teuk Sab immediately. I mean that if they were not fond of our behaviour or work, or if we complained about the work, they would immediately send us to Teuk Sab [...] they placed us aside to be scrutinised, followed up and tempered. In short, they treated us even worse than they did to the 17 April people [...] They monitored us carefully. Therefore, if we made even a tiny mistake, they would take us to be punished immediately [...] A6: While we were within this bad component unit, we were convinced that if we made even a minor mistake, we would immediately be taken to be punished. At that time, I was about 18 years old. At that age one was supposed to consume a lot of food. However we never ate enough. If anyone took or stole anything, he would be taken to be imprisoned at once. As I mentioned in the previous interview, only one of the three people who were arrested at my place and imprisoned in Teuk Sab managed to survive and return”]; **D114/66** Chet Bunna WRI, A19 [“When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy [...] Chorn was arrested and Nhann took over his position [...] I usually saw Nhann and Seng representing the Division in every meeting during the period near the end of the Khmer Rouge regime in late 1978 [...] At that time, in the Division 164 there were three units which were classified as the not-good-element units. Among those three units, two were the Battalion 20 and 21 and another unit was the Company 19. These three units consisted of soldiers who were classified as the not-good-elements. In the Company 19, there were about 100 soldiers who were all classified as the renegade soldiers. The commander of this Company unit named Ta Than [...] At that time this unit stayed in a place called Sre Nep. The Battalion 20 stayed in the Babos West village, and its commander was Ta Rit. The soldiers in this unit were the former troops from Sector 37. The Battalion 21 was in the Babos East, and this unit was under Ta Kheng. There were over 200 soldiers in this Battalion unit, and they all were the former troops from the East Zone. Whenever there was anyone in the not-good-element had made a mistake, he/she would be sent to be detained in Teuk Sap. During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank”]; **D114/178** Oem Sokhan WRI, A17, 27 [“they were sending all of the soldiers in Sector 37 to Stueng Hav to be tempered so they could screen them, separate them out, and find out if we were loyal to them or not [...] A27: If we could not finish our assigned work, we would be arrested, mistreated, or taken to be killed”]; **D54/24.1** Pak Sok DC-Cam statement, EN 00978579, KH 00955512 [“There were many soldiers, who used to work and eat together with me in the past, arrested. They did not make any serious mistake. One day, when we were together, someone among us asked if anyone knew how to write a word “Tamil”. Most of our friends except two persons said that they knew how to write that word, and then they started writing it down to show each other for fun. That night between 7pm to 8pm, some of the bodyguards arrived and arrested them all”]; **D114/89** Seng Sin WRI, A102-104 [“Some people in my unit were taken away. I don't know where they were taken to or how they were treated. Q: Why were some of them taken away from the production unit? A103: The Khmer Rouge might have noticed that those people were lazy. Q: How many men were taken away and never came back? A104: There were between four and ten people”]; **D54/105** Ek Ny WRI, A11-12 [“purges were indeed conducted on types of people mentioned in the document above [D1.3.27.20]. Arrests were made, not only based on implications but also when a soldier broke bowls and cooking pots, that soldier would be arrested and accused of being an enemy who destroyed communal properties. A12: In practice, when a soldier committed a mistake, for example, when a soldier slept when they were on guard, that soldier would be called to be re-educated at the battalion, later released and returned to his unit, but when that soldier repeated mistakes several times, that soldier would be taken for execution. As for soldiers who did not have their commanders linked to traitorous networks, that soldier would be re-educated several times when he committed mistake, before he was taken away. As for soldiers in my unit, we did not have second chance if we happened to sleep when we were on guard”]; **D54/18** Nou Saroeun WRI, A15 [“As I remember, the dam was completed within two or three months because they collected a lot of people from various cooperatives, army and mobile units to work following their designated plan. Their plan was divided into phases. For example, each group had to build 20 meters of the dam within ten days. Each person had to carry a five cubic meters of dirt per day. Only those who could fulfil the task remained alive. Those who were lazy, sick, or opposed to carrying dirt were removed and vanished. I do not know where they were taken”]; **D114/79** Kang Sum WRI, A328 [“Q: When you were suspected of being a Vietnamese spy, why were you spared? A328: I was spared. But I was under close watch. If I had made a mistake, they would have immediately accused me.

But I knew that in advance and then I improved myself”]; **D54/12** Pres Mean WRI, A24, 34 [“I once saw a soldier in my unit being taken away and disappeared forever because he had used a wrong grade of engine lubricant which caused a motorboat engine to break down. He was taken away and disappeared permanently. He was a boat driver in a fishing group supplying the rock-breaking site. And another one was also taken away and disappeared because the boat he was driving struck a rock. If someone driving a truck hit something, that person would also be taken away [...] A34: Anyone caught stealing potatoes would be arrested and beaten”]; **D54/13** Pres Mean WRI, A26 [“at the rock breaking site, we were not allowed to go anywhere or contact anyone elsewhere; otherwise, we would be arrested and taken away”]; **D114/105** Koch Tuy WRI, A64 [“I have one account of Thoeun from Boeng Trach, who worked with me in Battalion 86. He was so hungry that when he saw ripe papayas, he would pick them up and hid them to eat later, but someone saw him doing this, and then reported this to the mobile unit chief. In the end, he was taken to be dumped into a well, and he died”]; **D54/35.1** Brak Sokha DC-Cam statement, EN 00971212, KH 00964247-48 [“Some people in the mobile unit, who had made mistakes, disappeared, and some were taken away to be reeducated at the fresh water area known as Teuk Sap”].

1288 **D114/126** Ou Kim WRI, A27 [“Q: During the Khmer Rouge era was there any court system where individuals could complain about how they were treated? A27: We did not have any rights. We could not report problems or file complaints anywhere”]; **D114/58** Sam Saom alias Ket WRI, A11 [“I do not know about any judicial system during the Democratic Kampuchea era. I just knew that those people were arrested [...] I did not see or hear about any judicial system during the Democratic Kampuchea era”]; **D114/16** Sok Vanna WRI, A17 [“While you were working in the military and naval units in Kampong Som between 1975 and 1979, did you notice if there were courts or authorities were established to conduct trials, seek justice, and resolve problems for the people? A17: No, there were none. At that time, both the people and the military were arrested and imprisoned, and others were killed straightaway. When they arrested anyone, they would take that person to be killed. There was no resolution or negotiation”]; **D114/48** Sok Ngon WRI, A26; **D114/116** Svay Saman WRI, A45.

1289 **D2/15** Touch Soeuli alias Soeu Touch WRI, A23-24 [“Later on, because there was no fighting on the battlefield any more, this unit 450 was assigned to be in charge of the security matters. Q: Was it the Wat En Ta Nhien Pagoda Security Center? A24: It was not only for the place in Wat En Ta Nhien Pagoda, but it was the security unit of the Division 164 for the entire Kampong Som town”]; **D54/101** Ek Ny WRI, A10 [“Those soldiers, who were arresting [Rem], were from the Special Unit of Ta Mut. They were like Ta Mut's bodyguards and also known as his right hand unit. After punching those soldiers, Rem jumped out of the car and tried to flee. The soldiers promptly shot him in the head. He fell on the street in front of Wat Enta Nhean Pagoda and died instantly”]; **D54/72** Mut Mao WRI, A7 [Former messenger of her cousin Khom and telephone operator for Meas Muth: “The special unit was like Meas Mut's bodyguards, like that. The messenger team was the team who worked nearby and close to Ta Mut all the time. But the special unit was for guarding and manning the checkpoints surrounding his house and office [...] A8: It was a battalion [...] A16: Ta Norn was in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut's house where Nom and his soldiers stayed. I never arrived there, so I do not know how many soldiers were there”]; **D54/71** Mut Mao WRI, A39, 42 [“I did not know which unit of soldiers brought the Yuon group to be killed there. They could have been from either the division's special unit or the messenger unit of Meas Mut [...] Q: Why do you say that the soldiers who had brought those Yuon to be killed were the special unit or the messengers of MeasMut? A42: Because only soldiers of the special unit were tasked to do such work”]; **D54/7** Dol Song WRI, A11 [“Q: After 1975, when Division 3/164 was moved to Kampong Som, what was this Special Battalion assigned to do? A11: This Special Battalion was under the command of the Division Commander or Political Chairman. The Special Battalion was responsible for protecting leaders of the Division and arresting people who committed mistakes. At that time, the country was already in peacetime; the Special Battalion did not need to go to war. Therefore, the Special Battalion was instead used to protect leaders of the Division and to arrest those who committed mistakes”]; **D54/46** Em Sun WRI, A38 [“For the infantry, the commands were issued by Division 3 to the regiments, from the regiments to the battalions, and from the battalions to the companies. However, my special unit, Battalion 450, received orders directly from Meas Mut, the Commander of Division 3”]; **D54/10** Meu Ret alias Saret WRI, A27 [“Battalion 450 was a Special Unit of Ta Mut”]; **D114/15** Sok Vanna (Suos Vanna) WRI, A18; **D4.1.762** Kam Men US POW/MIA Statement, EN 00387328; **D59/1/1.11a** Heang Ret DC-Cam Statement, EN 00974081, KH 00926527 [“The special unit was an autonomous unit of the division. It was equivalent to the regiment's role”]; **D54/98** Heang Reth WRI, A28, 98 [“Battalion 450, it became Battalion

165, which was a special intervention unit [...] A98: I know that the security office [Wat Enta Nhien] was supervised by the messenger(s) of Battalion 450"; **D54/87** Prum Sarat WRI, A93-95 ["Battalion 450 was stationed surrounding the division [...] A94: It was the defence unit [...] A95: Its main duty was defending Division Headquarters"]; **D114/83** Sok Neang WRI, A19.

1290 **D54/37** Soem Ny WRI, A6 ["I saw Meas Mut go to a house construction site. He walked around the house, which was being built by soldiers. The house was arranged to be an accommodation for Chinese guests. When he noticed that a part of the roof was not built as he wanted, he called the foreman of the construction workers to get to the ground. When the foreman came closer to him, the foreman asked him if there were any mistakes. He did not reply. He immediately grabbed the axe from the foreman and slashed him on his forehead, making his face covered with blood. Then, the workers wanted to bring their foreman to a hospital, but Ta Mut warned them that they would receive the same punishment if they did. I heard Meas Mut said to the foreman, 'You have told me that you can do everything but when I told you to work, you cannot do it'. Then, he got into his car and drove away"]; **D54/30.1** Soem Ny DC-Cam statement, EN 01070553, KH 00964129-30 ["He was simple and not popular. [...] Meas Mut had eyes that could pierce the horizon when he stared. His stare was as fierce as his name, Mut. Q: How was his stare? A: He stared without blinking [...] He had had a house built for guests next to the house of his late wife, Kham. I am not sure about the builder's appearance. When he saw that the builder had constructed the roof in a different way that he wanted, he called that builder to come down from the roof. Then he took a small axe and chopped his head, and he fell down"].

1291 **D114/16** Sok Vanna WRI, A23-25 ["Ta Mut, the division chairman, had the greatest power. Ta Mut was very vicious. He was easily able to beat and shoot anyone [...] A24: For example, in the military, if a soldier made any mistake or did something inappropriate, [Meas Muth] did not tell that soldier this or that: he remained silent, and then he beat that soldier unconscious. Q: Did you ever see such an event? A25: Yes, I once saw such an event first-hand after the victory in Phnom Penh. At that time, they had my unit build a railway from Veal Rinh to Kampot. A soldier was playfully throwing rocks into the woods. Ta Mut saw this, walked towards the soldier, and beat him unconscious. Later I heard other people say that he was still as vicious as he had been previously"]; **D114/65** Chet Bunna WRI, A8-9 ["Meas Muth was a very savage man. He rarely talked and rarely smiled. Everyone was afraid of him. No one dared look at his face. We were afraid of him so much. We were afraid of him even more than we were afraid of the king [...] A9: He had the power to arrest and kill soldiers and civilians in the areas under his control. For example, if he noticed that any cattle or cows were skinny because they had not been taken care well, he would order the arrest of the persons in charge of taking care of those cows"]; **D114/31** Moul Chhin WRI, A87 ["I heard that he was very mean"]; **D114/159** Kaing Guek Eav alias Duch WRI, A35 [Speaking of Chey Han alias Chhan, coming to visit Duch before he was arrested: "The story was that he had problems with Brother Muth. He said Brother Muth was vicious and bad"]. *Contra*, **D114/48** Sok Ngon, A28-29 [claims Meas Muth ensured his soldiers had enough to eat and was therefore a good person].

1292 **D54/36** Brak Sokha WRI, A13 ["I became emaciated. I was living in fear. However I tried by best to survive as I did not want them to send me to Teuk Sap"]; **D114/66** Chet Bunna WRI, A24 ["the prisoners at that time were weak and emaciated, so when they [guards] took them to be killed, the guards did not need to tie them up"]; **D114/244** In Yoeu WRI, A26 [In Kang Keng then Stung Hav: "Each day, I got very little food and I became emaciated. Within a small pot of cooked rice, each of us was provided very little. Each of us probably got half a tin of rice for each meal"]; **D114/105** Koch Tuy WRI, A101-102 [Former Battalion 386 combatant: "we were extremely exhausted. Some sat up due to fatigue and died [...] Some died when lifting their earth-carry baskets and carrying earth [...] At that time, people died every day. Four or five people died each day. Q: Were you and other workers thin during your work there? A102: We were emaciated. When sitting up, our knees reached our ears"]; **D54/69** Nong Net WRI, A34.

1293 **D54/13** Pres Mean WRI, A39 ["In January 1979, after Regiment 61 soldiers had been sent to fight the Vietnamese soldiers and when the Vietnamese soldiers arrived in this area, we, the people who worked in the rock breaking worksite, were re-armed to fight the Vietnamese at the Kang Keng Airport and along National Road Number 4 until we were defeated"]; **D114/181** Sem Kol WRI, A47 ["I heard that one prisoner was Rin or Rin, female. She was placed in that Wat Enta Nhien Pagoda. At the time, she was fairly high-ranking in a battalion [...] I heard that, at a later stage, she was released. In 1979, I heard that she joined the Khmer Rouge's struggle, fighting against the Vietnamese"]; **D114/194** Sorn Sot WRI, A69, 76-77 ["When the Vietnamese had nearly arrived, they knew the plan. They placed a whiteboard and wrote that the Vietnamese had arrived in that place and that they did not punish the people with affiliation, and that we needed to

strengthen ourselves. When they sent my group out, they mixed us together, including their people, to fight against the Vietnamese. We were sent out to fight after the others when the Vietnamese troops already arrived and fought against them. They then declared that they would arm us. They asked us to be armed to fight against the enemy [...] A76: At that time, we fought in Teuk Sap [...] The battles in Smach Daeng and Teuk Sap took place for only a short period. They took place for about four hours [...] Q: Did Ta Muth command the army at that time? A 77: Yes, he did. He was in command with Ta Seng. Ta Muth commanded the troops directly"; **D114/122** Nob Phan WRI ["the Khmer Rouge and the Vietnamese started fighting. We were re-armed and sent to Ream to get ready to fight the Vietnamese. We knew that we could not defeat them, so both the ordinary people and the soldiers began to flee"]; **D114/25** Ou Dav WRI, A64 [Former Division 164 soldiers from Battalion 180 who had been sent to Koh Kong were rearmed for fighting the Vietnamese at the East border]; **D54/102** Ek Ny WRI, A27 ["I knew a former Teuk Sap prisoner called Sok Bigmouth. He was called Sok Bigmouth because he liked to talk too much. I met him once in 1979 after he had been released from Teuk Sap and rearmed to fight the Vietnamese troops"]; **D114/178** Oem Sokhan WRI, A75 ["we were armed to fight against the Vietnamese. Shortly after we were armed, the Vietnamese were everywhere. We moved from Stueng Hav to a rubber plantation. The Vietnamese arrived in the town"].

1294 See, e.g., **D1.3.30.2** Report from Meas Muth to Brother 82, 5 Jan 1976 [discusses Division 164 military deployment on Koh Ses, Koh Thmey, Koh Sampauch, Koh Ream and the presence of Meas Muth at Koh Rong and Koh Rong Krao at the time of the report]; **D114/282** Ek Ny WRI, A14, 21 ["Two companies of Battalion 386 and two companies of Division 3 stayed together on Koh Ses Island. [...] A21: The soldiers from the sector's army [37] and Division 3 were sent to Koh Polou Wai Island, Koh Polou Wai Thmei (New Polou Wai) Island, Koh Polou Wai Chas (Old Polou Wai) Island, Koh Rong Sanloem, Koh Rong Thom (Big Rong) Island, Koh M'noas Island, and Koh Tang Island. The rest of the forces were stationed on the mainland and worked on the naval boats"]; **D54/12** Pres Mean WRI, A4 ["my unit was sent to defend Koh Ruessei Island"]; **D54/77** Uy Nhik WRI, A6 ["Around two weeks after liberation, Battalion 386 as a whole was deployed on Koh Rong Island, Koh Poulo Wai Island, and Koh Tang and Koh Pring islands"]. **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249699, KH 00742002 ["The division maintained troop garrisons in the Kampong Som and Ream areas, as well as on Poulo Wai Island [...], Prins Island [...], Tang Island, Rong Samlem Island, and Ses Island"].

1295 Also called Poulo Panjuang (or Koh Poulo Tang Sang) in Khmer and To Chou or Tho Chu in Vietnamese, the island had been first attacked by the Khmer Navy on 10 May 1975 and retaken by Vietnam at the end of May 1975. See, e.g., **D1.3.17.5** Nayan Chanda, *Brother Enemy*, EN 00192197-98; **D114/79** Kang Sum WRI, A121, 126, 148-153, 156-163, 229 [Battalion 310 soldier explaining how about 300 soldiers from his battalion including himself were attacked on Koh Krachak Ses (Koh Poulo Tang Sang) in mid-1975 and were taken tied and blindfolded to Koh Tral where they were detained and worked for about 3 months as prisoners of war]; **D114/285** Prum Sarat WRI, A144 ["They patrolled on Koh Pulo Panjang island [Koh Krachak Ses]. [...] the Vietnamese soldiers fought on three islands including on Koh Pulo Panjang island [...] Koh Polou Wai Chas and Koh Polou Wai Thmei. [...] They fought and arrested 700 soldiers on those islands and took them to Koh Tral"]; **D114/66** Chet Bunna WRI, A36 ["At the beginning we went to attack and then occupied the Koh Krachak Seh Island. After that, the Vietnamese attacked us and occupied the Koh Polowai Island. [...] and also recaptured the Koh Krachak Seh Island from us"].

1296 See fn. 1011; **D54/6.1.12** Nayan Chanda, T. 25 May 2009, 09.34.11-09.36.16, 13.44.10-13.48.37, 13.57.46-14.00.18; **D1.3.17.5** Nayan Chanda, *Brother Enemy*, EN 00192197-98 ["To revive an old claim to Phu Quoc Island (called *Koh Tral* in Khmer), the Khmer Rouge launched a seaborne ground assault on the island on May 4. Six days later, Khmer troops landed on Poulo Panjang Island (*Tho Chu* in Vietnamese and *Koh Krachak Ses* in Khmer) and evacuated at gunpoint five hundred Vietnamese inhabitants, who were never heard of again. Nguyen Van Tot, a South Vietnamese soldier who was in Rach Gia at the time of the attack, lost his entire family of twelve. When he returned to Poulo Panjang four months later, his home was in ruins and the island littered with skulls. Two weeks after the Khmer Rouge landing, the Vietnamese launched a counterattack, killing many Khmer soldiers and taking about three hundred prisoners"].

1297 Also called Norng Chhan. About his position as Division 164 deputy commander: **D114/277.2** Kaing Guek Eav alias Duch, T. 8 Jun 2016, 11.09.02-11.11.45 ["Chey Han alias Chhan [...] who was the deputy secretary of Division 164, who worked with Brother Mut"]; **D114/159** Kaing Guek Eav alias Duch WRI, A3 ["The most important person arrested from Kampong Som was Sao Chhan alias Han, who was the son of Norng Suon. I would like to correct the name. It was Chey Han alias Chhan"]; **D54/10** Meu Ret alias Saret WRI, A7 ["After Division 3 was re-designated Division 164, there was a man named Ta Chhan from Sector 37's Koh

Kong, and this two battalion-strong military unit merged with Division 164. Ta Chhan became a deputy commander of the division”]; **D114/65** Chet Bunna WRI, A12 [“There were two other deputies under [Meas Muth] namely Chhan and Dim. Dim was Meas Muth’s 1st deputy”]; **D114/79** Kang Sum WRI, A267, 269 [“Q: Who were the Deputy Commanders of the Division? A267: Ta Dim and Ta Chhan were. [...] A269: Ta Chhan was Deputy Commander of the Division”].

1298 **D114/282** Ek Ny WRI, A9 [“At the beginning, the Division 3 forces did not know the geographical features of Kampong Som. Thus, later, the forces of Battalion 386 took the forces of Division 3 to be stationed in different locations because we owned the map”]; **D114/31** Moul Chhin WRI, A23 [“We, Battalion 336, knew the geographical area clearly, so they stationed us on the islands of Koh Rong Fa and Koh Rong Sanloem”]; **D114/113** Koen Men WRI, A179-180 [“Q: When you were based on Koh Tang Island, do you know how many of the soldiers were from Sector 37? A179: Brother Chhan and his entire regiment, comprised of 3 battalions, came with me. [...] A180: [...] All of Brother Chhan’s troops were from Sector 37”]; **D114/286** Heang Reth WRI, A12 [“we took battalions of the Sector 37 Unit to merge into Naval Division of 164 and then we took control of the ships from them”]; **D114/260** Sorn Soth WRI, A6-9; **D114/104** Iem Phong WRI, A39; **D54/101.1** Ek Ny US POW/MIA Statement, EN 00992727, KH 01509142 [“The division lack[ed] personnel and used the 386th battalion to provide personnel to man islands off the coast of Kampong Som”].

1299 **D22.2.181** Meas Muth US POW/MIA Statement, 5 Dec 2001, EN 00249693-94, KH 00741996-97 [“The Southwest region command created the 3rd division from elements of Sector 37 and independent southwestern region battalions. [...] At the time of the Mayaguez incident, the 3rd Division was headquartered at Ream [...] The Division had four subordinate regiments numbered 37, 14, 15, and 16. The 37th Regiment was designated as such because it was made up of forces from Sector 37”]; **D114/261** Chum Chy WRI, A2 [“at the fall of Phnom Penh in 1975, the unit of organization belonging to the Southwest Zone that they called Division 3 was sent to Kampong Som. Once that had been done, they then joined together the Sector 37 army and the Southwest Zone army called Division 3, joining them together to create Division 164”]; **D114/264** Chum Chy WRI, A36 [“Q: If these forces were a combination of Division 164/Division 3 and Sector 37 military units of organization, under whose overall command was this operation carried out? A36: Everything was under the overall command of Meas M[u]th”]; **D4.1.754** US POW/MIA Statement, EN 00387427, 00387429, KH 00791381, 00791383 [Battalion 386 soldier speaking of the period following 17 Apr 1975: “At the time, the 408th was not part of the 3rd Division” [...] the following statement indicates that Division 3 commander had authority over Battalion 386 and its companies, including Company 408, before Jul 1975: “After source was stationed on Poulo Wai Thmei island in April-May 1975, his unit captured a boat carrying more than 10 Vietnamese refugees, including women and children. [...] After they captured the boat, the 408th commander contacted Kampong Som for guidance on the disposition of the refugees. The high command in Kampong Som ordered the commander to kill the refugees. [...] The commander and his deputy carried out the order”]; **D4.1.749** Seng Sin alias Kon and Khieu Nuok US POW/MIA Statement, EN 00387442 [“When sources arrived on Tang Island, the 386th battalion, once under the command of Sector 37, was under the command of the former 3rd division, called the 164th division. Sources were members of the 2D platoon, 43rd company, 386th battalion, 62D regiment, 164th division”]. For further details, *see* **IV. Division 164 (Former Division 3) Authority Structure**, particularly para. 212, fn. 586.

1300 **D98/1.2.22** Kaing Guek Eav alias Duch, T. 2 Mar 2012, 14.17.05-14.20.23, 14.21.58-14.25.09 [“Division 164, was meant to protect waters, borders, and any matters relevant to maritime within the territory of Cambodia [...] Division 164 was embedded with the jurisdiction to protect waters -- maritime border -- exclusively”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.35.04-13.37.29 [“the soldiers were obliged to protect the territory of the borders at sea”]; **D114/65** Chet Bunna WRI, A11 [“Sometimes the regiment commander was the announcer during the assembly. During the assembly they also spoke about defending the sea and the maritime borders which was about 400 kilometers long, and about defending the nearly 200 islands of Cambodia”]; **D114/79** Kang Sum WRI, A114 [“Q: Where was the Navy? A114: It was stationed at Kampong Som Market, Ream, Kang Keng Airport and on the archipelago of over 200 islands”]; **D114/105** Koch Tuy WRI, A30 [mentions various islands, including some that are less known: Koh Tang, Koh Rong Krao, Koh Rong Khnong, Koh M’noas, Koh Yar, Koh Sali, Koh Thmei and Koh Pring]; **D114/95** Yoem Sroeung WRI, A34 [“Q: Did they tell you why they sent the division to Kampong Som? A34: They told us that we were sent to defend the waters, land and islands. Waters referred to the sea”].

1301 **D54/23** Pak Sok WRI, A25-26 [“If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the

people captured. The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island. In cases where we seized the Vietnamese boats, sometimes we received orders to shoot and kill them on the spot and bring the only the boat to the island. [...] Q: Was it the law to report to the battalion before carrying out any duty, or [...] could you act independently before reporting to the battalion? A26: If we ordered any motorboat to stop and they did not stop on our orders, we could fire and sink it right away. I myself never shot any motorboat myself, but people in my unit did shoot at and sink motorboats. These sinkings were carried out following the general orders of the division”].

1302 **D114/297.1.21** Pak Sok, T. 5 January 2016 14.45.02-14.46.20 [“[the soldiers in the unit] were not aware of, you know, international waters or they were not aware of laws and regulations at sea”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.49.55-15.53.04 [“one day there was one Vietnam and one Kleng ethnicity on the island. [...] the soldiers who went out to arrest those people, we were not sure whether they arrested from within Cambodian maritime boundary or inside the Vietnam maritime boundary”]; **D114/13** Neak Yoeun (Regiment 140 ship crew member) WRI, A17 [“Q: How did the crew members on board and the men stationed on the islands learn about international territorial waters? A17: I did not know”]; It is in May 1978 that Ieng Sary issued a statement defining what DK considered to be its territorial waters (without mentioning further precisions): **D69.1.23** Ieng Sary Statement, 1 May 1978, EN S 00011315 [“Democratic Kampuchea exercises her full and entire sovereignty over her territorial sea, the breadth of which is established on 12 nautical miles, measured from the baselines. [...] exercises her rights of control over the contiguous zone which extends on 12 nautical miles from the external limit of her territorial sea. [...] All the islands of Democratic Kampuchea have their territorial seas, their contiguous zones, their exclusive economic zones and their continental shelves. [...] The government of Democratic Kampuchea takes appropriate measures in order to entirely safeguard the sovereignty, the rights and the interests of Democratic Kampuchea over her territorial sea”].

1303 This was the case of the Mayaguez cargo ship, according to some witnesses: **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 09.32.54-09.34.20 [“I even went up onto the Mayaguez which was seized from the international waterway”]; **D54/28** Liet Lan (Regiment 140 cadre) WRI, A18 [“Q: At that time [in China], were you trained about the territorial waters of Cambodia? A18: I was also trained about maritime law dealing with territorial waters. Due to that training, I learnt that the capture of the Mayaguez was unlawful”]; **D114/58** Som Saom WRI, A1 [“I heard about another case in which a ship was seized in the international waters. It was seized by the Navy between Koh Poulo Wai Island and Koh Krachak Ses Island. That ship [Mayaguez] was too big to be towed to Kampong Som Port” (*emphasis added*)]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978569, KH 00955497 [“Q: Why did they capture the Mayaguez? A: I did not know. But we were like the wild bandits because we captured it illegally. Q: Were we did it illegally? A: We captured it illegally. That ship was travelling in the international waters about 10 kilometres off the coast of Kaoh Poulo Wai Island”].

1304 See para. 214.

1305 **D114/57** Som Soam alias Ket WRI, A8 [“the unit based in Koh Rong Sanloem Island was under the control of Regiment 61. Under the control of Regiment 61, were islands such as Koh Kong, Koh Rong Thom and Koh Rong”]; **D114/285** Bun Sarath (Prum Sarath) WRI, A141 [“Regiment 61 was in Koh Rung Thom”]; **D54/25** Pak Sok WRI, A6; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968388, KH 00926615 [“Regiment 61 was deployed there [Koh Rong]”]; **D59/1/1.7a** Ma Chhoeun DC-Cam Statement, EN 00969931, KH 00926308 [“61 was at Koh Rong”].

1306 **D54/78** Nop Hal WRI, A11 [“Q: How many islands were under the control of Regiment 62? A11: Koh Tang Island, Koh Pring Island, Koh Vie Island, Koh Poulo Wai Chas Island, Koh Poulo Wai Thmei Island and a number of other small islands”]; **D54/25** Pak Sok WRI, A6 [“Regiment 62 was a naval infantry attack unit of Division 164 tasked with defending the islands”]; **D114/57** Som Soam alias Ket WRI, A9 [“I have already drawn the areas under the control of Regiment 62. These areas include the islands of Koh Tang, Koh Pring and Koh Polo Wai”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 62 was Ta Mienh; he was in charge of Koh Polo Wai Island, Koh Pring Island, and Koh Tang”]; **D114/283** Ek Ny alias Uk WRI, A52 [“It was Regiment 62 on Koh Tang Island”]; **D114/285** Bun Sarath (Prum Sarath) WRI, A144 [“Regiment 62 was in Koh Tang and Koh Polou Wai Chas and Koh Polou Wai Thmei”]; **D114/113** Koem Men WRI, A59 [“After they reorganized the military structure, Battalion 662 was ordered to be stationed on Koh Poulo Wai Island, Battalion 623 was ordered to be stationed on Koh Tang Island, and Battalion 480, (whose commander was Norn was assigned to be stationed on the new Koh Poulo Wai Island”]; **D54/78.1** Nob Hal DC-Cam Statement, EN 00968388, KH 00926615 [“On defence on the islands there were four battalions. As I said, some forces of Battalion 624 grew rice. Defence forces deployed to Koh Poulo Wai

- Chas, Koh Poulo Wai Thmei, Koh Tang, Koh Prins, Koh Vear after being revised downwards. Earlier, there were also defence forces on Koh Rong. [...] Q: How about Regiment 62? A: The several islands I counted a moment ago [...] 62”].
- 1307 **D114/57** Som Soam alias Ket WRI, A9 [“I have already drawn the areas under the control of Regiment 63. These areas include the islands of Koh Seh, Koh Thmey and Prek Chak, located to the East of Ream”]; **D114/285** Bun Sarath (Prum Sarath) WRI, A144 [“Regiment 61 was in Koh Rung Thom. Regiment 62 was in Koh Tang and Koh Polou Wai Chas and Koh Polou Wai Thmei. Regiment 63 was in Koh Thmei and Koh Seh”]; **D54/25** Pak Sok WRI, A6 [“Regiment 63 under Ta Nhan operated on Koh Seh, Koh Antay and Koh Kyang. They did not have warships, but had motorboats for transportation purposes”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island near Ream in a coconut plantation in Kang Keng”].
- 1308 **D54/34** Ing Chhon WRI, A14 [“In Koh Kong during that time two PCF boats were positioned there”]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A30 [“Q: Was the PCF group a component of the Regiment 140 or the land base unit of the marine forces? A30: [...] they did not dock their vessels at the Au Chheu Teal beach”]; **D54/97** Khoem Yat WRI, A24 [“Later they assigned me to navigate a PCF boat, and at Ream there were PCF Boats 101, 102, 103, and 104”]; **D54/79** Nop Hal WRI, A3 [“The [PCF boat] was the most suitable to capture a boat. The PCF was modern, fast, and well-armed with weapons”]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088458, 01088470, KH 01007857, 01007870 [“The PCF was American ship captured by us. [...] This ship had the 80 [80mm mortar] on it. [...] There was also the 12 [12.7mm machinegun] on it. [...] There were 16 PCFs. Each island had 1 or 2 PCFs. But there were no [PCF] at Koh Rong Island because it was near Kampong Som”]; **D4.1.758** Unknown US POW/MIA Statement, EN 00387312-13, KH 01506014-15 [“Defense vessels included two former U.S. PCF [...] The two former U.S. PCF boats formed one squadron and were based at Koh Kong”].
- 1309 See, e.g., **D54/47** Em Sun WRI, A18-19 [“In August 1975, a new division, Division 164, was established [...] A19: [...] Moeun Mon [...] the commander of a company, and Heng Hok was the commander of another company of Battalion 480. They told me that Division 3 had been changed to Division 164, and that a new naval brigade, Brigade 140, had also been established”]; **D114/95** Yoem Sroeng WRI, A38 [“In 1976, they created Regiment 140 to be a navy unit, and Regiments 61, 62 and 63 were sent to the islands”]; **D2/9** Say Bom WRI, A16 [“At that time when they organized the marine forces, they selected troops from the Regiments 61, 62, and 63 of the Division 164, and together with another regiment from the East Zone, which was called the Unit 140, they organized them as the Unit 140”]; **D4.1.758** US POW/MIA Statement, EN 00387312, KH 01506014 [“140th Naval Regiment. In August 1975, the 164th (3rd) division created the 140th naval regiment. The Regiment had two sections - a naval section and a naval infantry section”].
- 1310 See, e.g., **D54/87** Prum Sarat WRI, A25 [“I do not remember the number of boats or small motorboats. I only remember the number of the ships/vessels of Regiment 140. From mid-1976 to 1979, Regiment 140 had ten combat vessels, ten patrol vessels, a tanker, and four minesweepers”]; **D114/31** Moul Chhin WRI, A40 [“Three boats provided by the Chinese to sweep mines along the Mekong River were used to capture those fishing boats at sea”]; **D114/281** Chum Chy WRI, A16 [“There were eight 125-tonnes armoured cruisers [...] They were gifts from China”]; **D4.1.758** US POW/MIA Statement, EN 00387312-13, KH 01506014-15 [“Defense vessels included two former U.S. PCF and seven Chinese fast attack boats. [...] The two former U.S. PCF boats formed one squadron and were based at Koh Kong [...] The seven Chinese vessels were numbered 101 through 107”].
- 1311 **D54/25** Pak Sok WRI, A6, 17 [“[Regiments 61, 62, 63] did not have warships, but had motorboats for transportation purposes. Those soldiers captured anyone who entered Kampuchean territorial waters within their areas of operation. [...] A17: [...] I know that military personnel in my Regiment 62 had also captured other motorboats and people. I used to see the motorboats my unit captured and kept at Koh Tang”]; **D54/79** Nop Hal WRI, A3 [“Regiment 62 controlled the cooperation between other units which were involved in boat capture. They also examined the number of people who were in the boat, the capacity of boat and other materials aboard that boat. [...] According to observations, Regiment 62 examined the boat and the people who were captured and sent them to Kampong Som with the report”]; **D114/105** Koch Tuy WRI, A48, A53 [“At the time, we were patrolling the sea. During the third shift of the patrol, at about 8.00 p.m. or 9.00 p.m. upon the arrival of my ship, we spotted the Thai boat through the radar. We then set off by ship and seized the boat, and then sent the people on board to Kampong Som. We took the boat to Koh Tang Island. It took three or four days to empty the boat out of its fish and belongings and then we brought it to Division 4 in Kampong Som straightaway. There were many people on board the boat, but I do not remember how many there were.

[...] A53: Normally, if they resisted, we would open fire. But in this case, they did not, so we moved our ship close to the boat and jumped into it. We told them to lift the fishing net and take the fish to be properly kept in the storage container with ice, and the people to stay in one place. Then, our ship was ordered to move to Kampong Som, where the Thais were off-loaded, and then we took their boat to Koh Tang Island”; **D54/98** Heang Ret WRI, A28 [“Regiments 61, 62, and 63 had the mission of coast and island defence. Regiment 140 was in charge of all vessels”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974211, 00974208, KH 00926389, 00926386 [“As far as I knew, the Indians were arrested. [...] Q: Which island did they come to? A: Poulo Wai. [...] The persons stationed on the island arrested them. [...] the persons assigned to protect the islands arrested them”].

1312 **D2/10** Say Born WRI, A1, 28-29, 31 [“The main tasks of the pursuit-vessels were to follow the instruction of the upper Rank and to wait for the order from the upper rank to attack [war ships] whenever needed. [...] A28: Although they called them the defense vessels, their task was to attack. This was the task of this type of vessels in Kampuchea. Q: What was the different task between the pursuit-vessel unit and the defense-vessel unit in the first phase and the second phase? A29: In Kampuchea the task of these two units was not much different. The main task of these two units was to attack. The only difference was that the vessels of the defense-vessel unit were deployed to station on various islands waiting for the order to attack. However, the pursuit-vessel unit was not deployed to different places like that, it was waiting in [one place] for an order to attack. [...] A31: Even [if] we saw the foreign ship encroaching our territory, we would not react. But we reported to the upper *Angkar* immediately, and waited for the order from the upper echelon to tell us how to react to that ship. It was not our task to seize ships in general. We waited to attack the warships only”].

1313 **D114/12** Neak Yoeun WRI, A22 [“Q: How did you know that the orders came from Ta Mut rather than from his deputy or his headquarters? A22: [...] All of the decisions came from the senior leader. His deputy could issue the orders only when Ta Mut was absent”]; **D54/25** Pak Sok WRI, A4 [“Q: Besides Ta Mut, could anyone else issue the order to capture or kill? A4: If Ta Mut was absent, then Ta Seng. If Ta Seng was absent, then Ta Saroeun”].

1314 **D114/95** Yoem Sroeung WRI, A90-91 [“Because Han’s level did not have the authority to order the ship to depart. The ship could depart only upon orders from Meas Muth. [...] A91: They transmitted them via telegraph or radio-telephone”]; **D54/100** Lay Boonhak WRI, A144 [“As I understood it, the division commander gave the order to fight because when they fought they had to expend oil and bombs, so only the commander could give such orders”]; **D54/10.2** Telegram 43 from Moeun to Meas Muth, 13 Jul 1977, EN 00983425, 00983427 [Moeun describes the enemy situation at Ochheuteal and Koh Rong Samloem island, criticises the conduct of one transportation worker at Ochheuteal, and requests a decision from Meas Muth on whether to take Vessel No. 2 for repair to Ream]; **D54/10** Meu Ret alias Saret WRI, A25 [“Only the division commander had the authority to order any movement of vessels. I used to have problems involving the deputy division commander who had been disloyal and planned to take the vessels from the division at a time when the situation with Vietnam intensified. For this reason, defensive measures needed to be taken. At the time, they suspected that the deputy division commander named Dim intended to take the vessels and flee. That’s why such a policy was issued”].

1315 **D54/34** Ing Chhnnon WRI, A2 [“When the telegraph operators there received any orders from Ta Mut’s place, those telegraph operators sent those orders to the ship commanders. The telegraph operators worked in their office near the port”]; **D54/48** Em Sun WRI, A16 [“When I talked on the radio to the representatives, I reported to them about the American soldiers. The radio operators made a report and sent it to Meas Mut; then Meas Mut laid out an order to me through the radio operators, and the operators forwarded Meas Mut’s command to me via the radio”].

1316 **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 15.26.22-15.28.10 [“As for the training, all combatants or navy or cadres [were] to engage in the technical training to offer the vessels, the vessels that arrived at Ou Chheu Teal, rather boats that arrived at Ou Chheu Teal port, were those under the instructions from the regimental level or divisional level. Without such authorization, those boats or vessels could not dock at the port”]; **D2/10** Say Born WRI, A30 [“They did not have the right to move from one place to another. There must be an order before they could move from one place to another. Even the places where we should anchor, we must follow an order. Each chief of the vessel could not do anything by him self without an order. The order came from the chief of the vessel unit, not from the Division. Q: If the vessel unit was deployed along the sea border and saw the foreign ship encroaching its territory, how did your vessel unit react? A31: Even [if] we saw the foreign ship encroaching our territory, we would not react. But we reported to the upper *Angkar* immediately, and waited for the order from the upper echelon to tell us how to react to that ship. It was not

our task to seize ships in general. We waited to attack the warships only”]; **D114/204** Suos Siyat WRI A30 [“Q: When you were sent to be stationed on the island, what were you instructed to do when seeing Thai ships? A30: We had to report to the battalion”]; **D59/1/1.12** Nob Hal DC-Cam Statement, EN 00968408 [“Q: Once you approached the boat, before capturing it, did you report to the Regiment? A: Yes, we kept on reporting by phone radio”].

1317 **D54/34** Ing Chhon WRI, A22-23 [“Q: Why did Ta Sim need to report to the division headquarters events like those described in the document I have just shown you? A22: Ta Sim had no authority to make any decisions on any boats captured; he had to follow orders from the division. Q: According to your knowledge, were there any exceptional events which were not necessary to be reported to the division? A23: No, I never saw any events which Ta Sim decided on the spot without first obtaining orders from the division, except for the petty matters such as cutting wood for house building, and so on, on which Ta Sim could make decisions on his own”].

1318 **D54/79** Nop Hal WRI, A20 [“In fact, what I mentioned relating to events that happened near Koh Poulo Wai Chas Island and Koh Poulo Wai Thmei Island was based mainly on my own experience. In general, after receiving an order to capture any boat, we had to immediately follow orders, and we had no right to free seized captured boat”].

1319 **D54/23** Pak Sok WRI, A30 [“Q: Could you and the people in your unit refuse to implement an order to kill if you thought that the killing was unreasonable? A30: No. We absolutely could not refuse orders; if we had done so, they would have killed us”]; **D2/10** Say Born WRI, A53 [“If they had ordered us to do something and we did not do it, we would be punished”]; **D114/31** Moul Chhin WRI, A31 [“If anyone had dared refuse or oppose the order, they would have been shot and killed and thrown into the sea. They applied absolute martial law”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978573, 00978576, KH 00955503, 00955508 [“Q: Did any ships ever disobey your order and refuse to stop? A: No, if they did not stop, we fired the warning shots. Q: Was this the order from the Division to you to do that? A: Yes, it was the order from the Division. If any ships did not stop, you had to shoot to sink them. [...] Q: Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes”].

1320 The armed PCF boats of Regiment 140, which were the defence vessels and pursuit vessels, were stationed either in Kampong Som, Koh Poulo Wai or Koh Tang Island and were charged to capture foreign boats: **D54/79** Nop Hal WRI, A3 [“Later Division 164 sent PCF boats of Regiment 140, which sometimes was located in Kampong Som or at a standby location. The PCF boats of Regiment 140 were stationed at Koh Poulo Wai Island or Koh Tang Island”]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A27 [“Q: In Division 164, who was in charge of arresting of the fishermen? A27: The PCF group was in charge of the arresting task”]; **D2/10** Say Born WRI, A29-30 [“In Kampuchea the task of these two units was not much different. The main task of these two units was to attack. The only difference was that the vessels of the defense-vessel unit were deployed to station on various islands waiting for the order to attack. However, the pursuit-vessel unit was not deployed to different places like that, it was waiting in [one place] for an order to attack. [...] A30: [...] They did not have the right to move from one place to another. There must be an order before they could move from one place to another. Even the places where we should anchor, we must follow an order. Each chief of the vessel could not do anything by himself without an order. The order came from the chief of the vessel unit, not from the Division”]; **D54/8** Dol Song WRI, A15 [“Regiment 140 was appointed to protect the islands and water borders”]; **D54/109** Sao Sam WRI, A11 [“When I was staying on the Poulowai Island, my task was to guard. We did not have any combat ships for the attack. We only had regular boats for fishing. When we spotted any Vietnamese’s, Thai’s or other foreigner’s boat/boats coming in our water, we reported it via the radio communication to the base of the Division 164 in Kampong Som. The Division then dispatched its ship, which was the mine sweeper and was a very fast ship, to chase and capture the encroaching boat or ship”]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978, EN 00233649, KH 00020982, FR 00623220 [“At Koh Wai island, on March 20, 1978 at 4 am, our brothers and sisters saw a Siamese motor-driven boat (250 cc capacity) 3 km northwest of Koh Chass island. We caught the boat with 21 people at 5 am. [...] At Koh Tang island, on March 20, 1978 at 2.30 hours, our 800-cc motor-driven boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people—both young and old, male and female”]. See also **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974211, KH 00926389 [“As far as I knew, the Indians were arrested. [...] Q: Which island did they come to? A: Poulo Wai. [...] The persons stationed on the island arrested them”].

- 1321 **D54/23** Pak Sok WRI, A25, 28 ["If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured. [...] A28: [...] it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance"]; **D2/10** Say Born WRI, A31 ["Q: If the vessel unit was deployed along the sea border and saw the foreign ship encroaching its territory, how did your vessel unit react? A31: Even [if] we saw the foreign ship encroaching our territory, we would not react. But we reported to the upper *Angkar* immediately, and waited for the order from the upper echelon to tell us how to react to that ship. It was not our task to seize ships in general. We waited to attack the warships only. The task to seize various ships was that of the other unit which used the wooden boats"]; **D54/109** Sao Sam WRI, A11-12 ["When we spotted any Vietnamese's, Thai's or other foreigner's boat/boats coming in our water, we reported it via the radio communication to the base of the Division 164 in Kampong Som. The Division then dispatched its ship, which was the mine sweeper and was a very fast ship, to chase and capture the encroaching boat or ship. I did not know where they took the captured boat to. Q: When you reported via the radio communication to the Division base in Kampong Som, how did you do it? A12: First, through the chain of command, we reported to the Regiment. The Regiment then reported to the Division"].
- 1322 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.07.31-11.10.36 ["When there was a capture, we had to make an immediate report to the battalion and then it was the battalion who made the report up to the regiment, and the regiment reported to the division. Unless the division sent back the order, soldiers could not carry out the operation"]; **D114/140** Chae Phon WRI, A41 ["Q: What did they order you to do if you saw a foreign ship or aircraft entering the area that you were patrolling? A41: If we saw any ship or aircraft entering our territory, we had to report to the mainland. The mainland would tell us whether we should shoot it or wait for reinforcement forces"]; **D54/23** Pak Sok WRI, A25 ["If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured. The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island"]; **D54/87** Prum Sarat WRI A138, 141 ["When they were arrested, they reported via communication radio from the islands to the division. [...] A141: They reported via communication radio, and the people at the communication radio location would enter the record into the daily 10, no matter what information it might be, so that it could be sent to Meas Mut"].
- 1323 **D54/25** Pak Sok WRI, A1, 19 ["Q: In general, when the crew of a naval vessel received an order to kill or send captured persons, was the order made orally via communication radio or via Morse code? A1: The order was made orally via communication radio. [...] Q: Why did Meas Mut, who was the political commissar, know all these events? A19: Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015 10.51.34-10.54.54 ["There were different treatments [...] I myself arrested the ethnic Vietnamese from a boat consisting of around 10 people. Among them they were armed and they shot at us. So there came an order from the upper level to sink them because they shot at us. So we sank their boat"]; **D54/23** Pak Sok WRI, A26 ["Q: Was it the law to report to the battalion before carrying out any duty, or you could you act independently before reporting to the battalion? A26: If we ordered any motorboat to stop and they did not stop on our orders, we could fire and sink it right away. I myself never shot any motorboat myself, but people in my unit did shoot at and sink motorboats. These sinkings were carried out following the general orders of the division"]; **D114/132** Mao Ran WRI, A95 ["When personnel on the islands saw the Thai boats, they reported to the upper echelon, who then communicated with us on our boat and ordered us to go out and see what boats they were. If the boats were fishing boats, they ordered us to capture them and bring them in"]. Sometimes, in case of emergency, the orders were directly sent from the division headquarters to the relevant Navy ship without passing through the Regiment 140 and the relevant Battalion: **D54/100** Lay Bunhak WRI, A142 ["when the ship arrived in the middle of the sea and they encountered fighting, they had to communicate to the regiment, and then the regiment continued communicating to the division. But the division gave the direct orders to the fighting ships without communicating through the regiment again for the sake of speed"].

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D114/297.1.20 Pak Sok, T. 16 Dec 2015, 09.58.05-09.58.43 ["a number of boats that went out to patrol, and if an incident happened, then those boats were ordered to fight"]; **D114/19** Mak Chhoeun WRI, A16, 18, 20 ["Sometimes Ta Dim chaired the meetings, and sometimes Ta Mut chaired the meetings. [...] Q: During those meetings, what instructions were given concerning the defence of the territorial waters against infiltration by foreign fishing boats and ships? A18: They instructed us that [...] if those boats came deep inside our territorial waters and remained inside them for long, we should attack them immediately. Such incidents frequently occurred in my area. My area was near the Vietnamese border, so most of the fishing boats which entered our territorial waters were Vietnamese motorboats. Most of those fishing motorboats were armed with guns and weaponry. [...] Q: Who gave the instructions to attack those boats? A20: If Ta Mut chaired the meetings; he gave those orders. If Ta Dim chaired the meetings, he gave those orders"]; **D114/24** Ou Dav WRI, A89-91, 97 ["Q: During the training, did you receive orders to capture foreign boats which entered Cambodian waters? A89: Yes. During the training course, they told us that if any foreign boat entered our waters, we had to capture it. Q: Who gave the order to capture the boats? A90: The upper echelon. Q: How did you know about this? A91: I learned about orders from the upper echelon when the battalion called the company and platoon commanders to attend meetings. During the meetings, they said the order came from the Party, meaning the upper echelon. 'The Party' referred to Meas Muth. [...] Q: Who was upper echelon? A97: The upper echelon in overall charge of the Navy was Meas Muth"]; **D114/31** Moul Chhin WRI, A44 ["In case they resisted and returned fire, there were reinforcements. In some cases, fishing boats were fired upon and sunk"]; **D54/23** Pak Sok WRI, A26-27 ["Q: Was it the law to report to the battalion before carrying out any duty, or you could you act independently before reporting to the battalion? A26: If we ordered any motorboat to stop and they did not stop on our orders, we could fire and sink it right away. I myself never shot any motorboat myself, but people in my unit did to shoot at and sink motorboats. These sinkings were carried out following the general orders of the division. Q: Why do you say it was a general order of the division? A27: It was a general order of the division to all units. These orders came from the division down to the battalions"]; **D114/104** Iem Phong WRI, A76 ["Q: Before the break, you received orders to stop Vietnamese boats when you saw them, and if they did not stop, to open fire at them. Is this correct? A76: Yes"]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978573, KH 00955503 ["When we saw their ships, we ordered them to stop. If they refused, we shot them to sink"]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088462, KH 01007861 ["Q: Did we shoot at them at that time? A: Yes, we did if they had refused our order to drop the anchor"]. Examples of boats that were fired at: **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978, EN 00233649, KH 00020982, FR 00623220 ["1. In Kep at 8 pm of March 19, 1978 we fired at a Vietnamese 22 CC motor-driven boat one km south of Koh Khyang Island. It sank as a consequence. We suffered no damages"]; **D1.3.12.2** DK Report from Meas Muth to Son Sen (Brother 89), 6 Feb 1976, 1977, or 1978, EN 00233991, KH 00021454 ["1. On 4 February, [our] comrades at Pring Island fired at a Thais fishing boat, about five kilometers west of the island. Then, the boat escaped west and disappeared. 2. At 6pm of 5 February, the State Fishery brought Thais boat(s) in Rong Island, but brought the boat(s) out without yet knowing the reason"]; **D11/2** Robert Hamill CPA, EN 00681116, KH 00710120 ["That evening, without warning, shots were fired upon the *Foxy Lady* and her crew. Stuart Glass, who was on deck, was shot"].

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D114/282 Ek Ny (Ni) alias Ik WRI, A63 ["At first, we sent them back to the mainland, but later we received orders from the division that we did not need to send them to the mainland. We received orders to take only gold"]; **D54/23** Pak Sok WRI, A25 ["the division issued orders on what we should do with the boat or vessel and the people captured. The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island"]; **D54/82** Hing Uch WRI, A31 ["Q: How did you report the capture of Thai boats and Vietnamese boats? A31: As I said at the beginning, I was only the report receiver and forwarder. Normally I had to report everyday, and I wrote the capture of foreign boats as the first priority issue in the report because it was related to a capture incident"]; **D54/79** Nop Hal WRI, A3 ["orders were sent from the higher level to the lower level hierarchically. Generally, they accused those boats of intruding into our territory, and they ordered those boats captured and brought to the regiment. As I described before, the order was from the division, but we did not get that order from the division directly. In case of a seizure of a boat, we got the instruction via radio from the regiment to the battalion. I would like to explain about the procedure of capturing boats as follows: the battalion reported to the regiment that the boat had invaded. Generally, the regiment would then report to the division which was located in Kampong Som"].

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D234/2.1.95 Meas Voeun, T. 2 Feb 2016, 14.10.55-14.14.10, 14.16.59-14.19.02 [Division 1 deputy commander: "For a Vietnamese boat, and of course it happened only once in a while, it may go off course and

encroach our territorial waters with the intention to go to Thailand. And when we were aware of its presence we would capture that boat and send it through a chain of command to the upper level. For instance if a boat was captured, that boat would be sent to Kampong Som as the force from Division 64 (sic) also was with us. So when a Vietnamese boat was captured, then we would give or hand the boat to the forces from Division 64 (sic) who would return it to Kampong Som. [...] Regarding Vietnamese refugees [...] when they were captured by my unit I would send them to my upper leadership level and whatever decision they made that was theirs"]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.24.04-09.25.26 ["when those 'Yuen' people were captured, I would send them to the upper level"], 09.27.18-09.29.08 ["the 'Yuen' who came to Koh Kong area were captured by us and then we sent them to our divisional headquarters"]].

1327 **D114/12** Neak Yoeun WRI, A22 ["How did you know that the orders came from Ta Mut rather than from his deputy or his headquarters? A22: [...] All of the decisions came from the senior leader. His deputy could issue the orders only when Ta Mut was absent"]; **D54/25** Pak Sok WRI, A4 ["Q: Besides Ta Mut, could anyone else issue the order to capture or kill? A4: If Ta Mut was absent, then Ta Seng. If Ta Seng was absent, then Ta Saroeun"]. Regarding the names of the deputies of Meas Muth. *See also IV. Division 164 Authority Structure – Division 164 Committee.*

1328 **D54/23** Pak Sok WRI, A28-29 ["Yes, it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance. [...] A29: The orders were clear on whether they were to be killed on the spot or sent ashore. If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them"].

1329 **D1.3.34.28** Telegram 141 by Sim to Division 164, 15 Sep 1977, EN 00233654, KH 00161729, ["For Thai boats which had entered further into our waters nearby our islands, I had led ships out and caught one boat with 300cc engine, and another with 400cc engine. These two boats were caught in the south of Koh Kong. On the boats there were 2 kolains, some fish and fuel. Some people on the boats managed to escape by dropping themselves into the water, and some other were killed [by our brothers]"]; **D114/31** Moul Chhin WRI, A45 ["What would happen to the fishermen on board the sinking boats? A45: They died and sunk with their boats. In case of survivors, if the survivors tried to swim away, they were shot dead. They would not be left alive to cause any bother"]; **D54/34** Ing Chhon WRI, A28, 30 ["when we came near to their boats and the people on board did not jump into the water, but instead remained on their boats; then we shot over their heads to make them jump into the water for us to capture their boats. [...] A30: According to our rules of engagement, when the sailors boarded the boat they had to kill anyone on board who refused to escape into the sea. There were no arrests"]; **D54/52** Meas Voeun (Division 1 deputy commander) WRI, A19-20, 22 ["According to my memory, we arrested around ten Thai fishermen, but we captured around 50 to 60 fishing boats. The number of fishermen captured was fewer than the number of fishing boats because whenever we approached the boats, the fishermen jumped off their fishing boats to escape capture. Q: According to your estimation, if you could have captured all of the fishermen on those 50 to 60 fishing boats, how many of them might there have been? A20: There might have been many; on average each fishing boat carried from three to four fishermen. [...] Q: Did your unit try to rescue the Thai fishermen who jumped into the water, or did you abandon them? A22: We did not go to the rescue of those Thai fishermen; we just left them to their fates. But when our military personnel fell into the water, we searched in order to rescue them"].

1330 **D1.3.34.28** Telegram 141 by Sim to Division 164, 15 Sep 1977, EN 00233654, KH 00161729, ["For Thai boats which had entered further into our waters nearby our islands, I had led ships out and caught one boat with 300cc engine, and another with 400cc engine. These two boats were caught in the south of Koh Kong. On the boats there were 2 kolains, some fish and fuel. Some people on the boats managed to escape by dropping themselves into the water, and some other were killed [by our brothers]"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.55.47-10.58.13 ["The status of the Vietnamese were greatly different from that of the Thai. The Vietnamese were considered as the hereditary enemy of Pol Pot, so regardless of whether they were military or civilians, when they had guns and shot at us, they must be shot and sunk"]; **D114/19** Mak Chhoeun WRI, A24 ["Q: What were the instructions about Vietnamese fishermen who were captured? A24: Boat units were in charge of capturing Vietnamese fishermen and seizing their boats. My unit stationed on the island did not have the capacity to seize those boats. When we encountered them, we would retreated. When we fired, we intended to sink the boats straight away; we did not capture people at sea. I want to tell you that at that time, from 1975 to 1976, these instructions were the general instructions"]; **D114/31** Moul Chhin WRI, A45 ["What would happen to the fishermen on board the sinking boats? A45: They died and sunk with their boats. In case of survivors, if the survivors tried to swim away, they were shot dead. They would not be left

alive to cause any bother”]; **D54/25** Pak Sok WRI, A2, A11 [“They used simple language in orders. For example, ‘Shoot them dead’ or ‘Send them to the mainland.’ [...] Q: Based on your experience and knowledge, in your unit and other units of the navy, between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? A11: Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland”]; **D54/23** Pak Sok WRI, A25-26 [“The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured. The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island. In cases where we seized the Vietnamese boats, sometimes we received orders to shoot and kill them on the spot and bring the only the boat to the island. [...] Q: Was it the law to report to the battalion before carrying out any duty, or you could you act independently before reporting to the battalion? A26: If we ordered any motorboat to stop and they did not stop on our orders, we could fire and sink it right away. I myself never shot any motorboat myself, but people in my unit did shoot at and sink motorboats. These sinkings were carried out following the general orders of the division”]; **D54/34** Ing Chhon WRI, A22, 28-30 [“Q: Why did Ta Sim need to report to the division headquarters events like those described in the document I have just shown you? A22: Ta Sim had no authority to make any decisions on any boats captured; he had to follow orders from the division. [...] Q: In your interview with the [DC-Cam] you mentioned that sometimes your ship opened fire only to frighten the crew of the invading boats. Could you explain what you meant by shooting to frighten? A28: This meant when we came near to their boats and the people on board did not jump into the water, but instead remained on their boats; then we shot over their heads to make them jump into the water for us to capture their boats. Q: What kinds of guns were used to do such shooting to frighten the fishermen? A29: At the initial encounter, we used 12.7 mm machine gun to scare them and have them to jump into the water. When we reached their boats, we used AK-47s and boarded the boats to take control of the helm. Q: Does this mean that everyone on board would be killed while the sailors boarded their boat even though they were unarmed and had surrendered? A30: According to our rules of engagement, when the sailors boarded the boat they had to kill anyone on board who refused to escape into the sea. There were no arrests”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978573, KH 00955503 [“Q: Did any ships ever disobey your order and refuse to stop? A: No, if they did not stop, we fired the warning shots. Q: Was this the order from the Division to you to do that? A: Yes, it was the order from the Division. If any ships did not stop, you had to shoot to sink them”]; **D11/2** Robert Hamill CPA, EN 00681116, KH 00710120 [“That evening, without warning, shots were fired upon the *Foxy Lady* and her crew. Stuart Glass, who was on deck, was shot”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974208, KH 00926386 [“If they escaped, we shot them. If they did not escape, we arrested them”].

1331 **D54/23** Pak Sok WRI, A25 [“The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island. [...] sometimes we received orders to shoot and kill them on the spot and bring the only the boat to the island”]; **D54/34** Ing Chhon WRI, A28 [“This meant when we came near to their boats and the people on board did not jump into the water, but instead remained on their boats; then we shot over their heads to make them jump into the water for us to capture their boats”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.37.31-10.39.57 [“those ethnic Vietnamese people on the boat [...] were ordinary people. [...] heading to Thailand, and they were arrested between the island of Tang and Poulo Wai and they were brought into the port. [...] I remembered [...] the baby cried loudly [...] Then the soldiers threw the baby into the sea”], 13.48.29-13.51.26 [“when there was a capture of each vessel, there was order from the top that the arrested people needed to be sent to on land, but if the number of arrested people were just only a few people, and then the order was that they needed to be killed on the sea, and only the vessels were brought in for use in units”], 13.58.15-13.55.13 [“when the number of people were less, there was an order to kill on the spot because they did not want to bother with interrogating them”].

1332 Witness Ek Ny remembers that first any person who was captured by the Division 164 forces close to Koh Tang was to be sent to Meas Muth in Kampong Som. However, later on, the latter ordered to kill all the arrestees and to use them as fertilizer for the coconut trees on Koh Tang Island, an order which also allowed to save gasoline: **D114/282** Ek Ny WRI, A63: [“Q: With your estimate of 1,200 or 1,300 people, do you refer to only incidents which you knew or all incidents? A63: I speak only about the incidents which I knew. At first, we sent back to the mainland, but later we received orders from the division that we did not need to send them to the mainland. We received orders to take only gold, and we were ordered to use those people as fertilizer on that island, not wasting petrol to transport them to the mainland”]; **D54/102** Ek Ny alias Euk WRI, A41 [“Q: Do you have anything you want to add to this interview regarding the arrest of those Thai and

Vietnamese? A41: [...] At the beginning, whenever we had captured any Vietnamese and/or Thai, we sent them to Ta Muth in Kampong Som. But later on, Ta Muth ordered us not to waste gasoline to transport them to Kampong Som anymore. He told us that we should make them as fertilizer for the coconut trees on the island. Each corpse was cut into two pieces, and one piece was buried under one coconut tree as fertilizer”]; **D54/23** Pak Sok WRI, A25 [“The battalion would [then] order us either to kill those who were captured right there on the sea or bring them to the island”]; **D54/25** Pak Sok WRI, A11, 20 [“Q: [...] between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? A11: Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland. [...] A20: I saw the first event, the capture and killing of a Vietnamese husband and wife and an infant about one year old on Koh Poulo Wai Chas Island at the end of 1976 or early 1977. The husband and wife and infant were Vietnamese refugees travelling by 8-horsepower motorboat. I saw the motorboat tethered on the shore nearby. I saw the couple with their arms tied behind their back and made to kneel on the ground. The soldiers on duty at the time belonged to my Regiment 62. First they hit the husband on the back of the head with a bamboo club. After the husband fell to the ground, they struck the wife the same way. Once the wife fell to the ground, the infant cried and crawled to hug the mother. A soldier grasped the feet of the infant and struck it against a coconut tree killing the infant instantly. The bodies of the couple were chopped in two with a digging hoe. Each part of the bodies was buried under a coconut tree for fertiliser”]; **D54/8** Dol Song WRI, A41-46, 49 [“Q: In your interview with ADHOC, you mentioned that you saw them kill 30 Thai people on a boat. Can you please describe that event? A41: This event happened while I was training with the navy. I saw Thai people who had been arrested and brought to an island. Q: In which year was that? A42: In 1977. Q: To which island? A43: To Poulo Wai Island. Q: Who were those Thai, can you tell us? A44: They were fishermen, and they were all adults. I also saw a fishing boat there. Q: How did you know that they were fishermen and not enemy soldiers? A45: Because it was a fishing boat. Besides, our soldiers on the island said they (those Thai people) were fishermen. [...] A46: Their arms were tied. Soldiers on the island said they would kill those Thai people. [...] A49: I did not see the killing with my own eyes, but I knew that they were not killed by gunshot. They were beaten to death”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978576, KH 00955507 [Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons, they killed them. [...] Sometimes they killed them on the island. [...] They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them, we shot them to dead”].

1333 **D54/79** Nop Hal WRI, A8 [“When arriving at Phae Ou Chheu Teal wharf, I could see a vehicle waiting to collect the Vietnamese people who were captured from the boat. I would like to clarify this before you ask me: I was the person who piloted that boat and used the radio to communicate with my regiment. I reported progress and arrival at destination. In such times, they always kept their radios on in order to communicate”].

1334 **D54/79** Nop Hal WRI, A8, 15 [“The forces that came to collect those Vietnamese people were from the Internal Office of Division 164. [...] Q: How did you know that soldiers who came to collect those Vietnamese people were forces from the Internal Office of Division 164? A15: I knew because the regiment had informed me via radio. As I remember they said, ‘You are only responsible for transporting them there. When you arrive, forces from the Division Internal Office will already be waiting there’”]. *See also* **D114/297.1.20** Pak Sok, T. 16 Dec 2015 10.37.31-10.39.57 [“When people were brought in, usually, they were taken out by truck immediately to Kampong Som town”]; **D54/87** Prum Sarat WRI A144 [“As far as I know Meas Mut reported to Phnom Penh, and upon receiving the report, staff in Phnom Penh send a vehicle to Kampong Som to take them to Phnom Penh”].

1335 **D54/25** Pak Sok WRI, A11 [“They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland”]; **D54/23** Pak Sok WRI, A25, 29 [“In general when we captured less than 20 people, they ordered us to kill them on the spot. If we arrested more than 20 people, we had to send them to Ou Chheu Teal. [...] A29: The orders were clear on whether they were to be killed on the spot or sent ashore. If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”]; **D54/79** Nop Hal WRI, A3 [“In case of seizure capture, both the boat and the people on the boat were sent by Regiment 140 boat to Kampong Som or to an island for a short time before they were sent to Kampong Som. If a boat of Regiment 140 left Kampong Som in order to capture a boat, after the capture, they would bring both the boat and the people to Kampong Som at once. But if the Regiment 140 boat was on standby at Koh Poulo Wai Thmei Island or Koh Tang Island, after the capture they had to return for a short

time to one of the islands under the control of Regiment 62. [...] both the boat and the people were eventually sent to Kampong Som. According to observations, Regiment 62 examined the boat and the people who were captured and sent them to Kampong Som with the report”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978576, KH 00955508 [“Q: Did they also send any of them to the shore? A: Yes, they did”]. *See also* **VIII.C. Division 164 Security Centres; VIII.D. S-21 Security Centre.**

1336 **D114/297.1.20** Pak Sok, T. 16 Dec 2015 10.51.34-10.54.54 [“There were different treatments [...] I arrested three Thai boats [...] Those Thai people were on board, each boat consisted of 10 people, 15 people, 20 people. So those Thai fishermen were sent to Ream [to work] [...] The guard [in Ream] told me that they would not kill those Thai people, they would send these Thai people back to Thailand”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978575 [“when [the Thai fishermen] were sent to Ream, they were not killed, but usually they were given rice to eat and works to do. [...] Q: Did they use the captured Thai fishermen to dig canal? A: Yes, canal and dam. [...] They told me that we should not touch them because after we put them to work for a period of time, we would send them back [to their country]. [...] They used them to build dam. When I arrived in Ream later, I saw them working”].

1337 **D54/25** Pak Sok WRI, A2 [“Q: Can you explain to us the wording used in the order? A2: They used simple language in orders. For example, ‘Shoot them dead’ or ‘Send them to the mainland’”].

1338 **D114/40** Moul Chhin WRI, A77-78 [“Q: Did you know where the orders for the arrests and killings came from? Was it from battalion level or regiment level or division level? A77: It was from Battalion 386 on top of the mountain where I showed you. They communicated with the division in Kampong Som via radio. Generally, the orders from Kampong Som were, ‘Do what you want. Don’t keep them.’ Q: What did they mean by this? A78: There was no use in keeping those people. It would only be a waste of rice”].

1339 **D114/297.1.21** Pak Sok, T. 5 Jan 2016 14.00.38-14.04.42 [“When we arrested one or two, we had to kill them on the spot on the island or at sea. [...] For a small group of people who were arrested, the instruction was to execute them because it would be a waste to transport them [...] we had to execute them on the island or at sea and there was no need to bring them on shore”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015 11.03.07-11.06.59 [“Concerning the Vietnamese, some of them were sent to us on board and on some other occasions, if there were many of the Vietnamese, they would be sent ashore. But if there were only a few Vietnamese, they would be killed right on the island”]; **D54/23** Pak Sok WRI, A25, 29 [“In general when we captured less than 20 people, they ordered us to kill them on the spot. If we arrested more than 20 people, we had to send them to Ou Chheu Teal. [...] A29: The orders were clear on whether they were to be killed on the spot or sent ashore. If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978576 [“If they had arrested Yuons, they killed them. [...] Sometimes they killed them on the Island. [...] They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them, we shot them to dead. [...] It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes. Q: Did they also send any of them to the shore? A: Yes, they did”].

1340 **D114/13** Neak Yoeun WRI, A9-10 [about the capture and release of the large cargo ship in 1977: “Q: But you said that you heard Meas Mut’s voice on the radio, correct? A9: Yes, I heard him give the command not to let the defense ships approach that cargo ship. When he personally joined that mission, I heard him talking on the radio. Q: Were you sure that the voice commanding on the radio was Meas Mut’s? A10: All the crew members on my vessel recognised Meas Mut’s voice. So I was very sure that it was his voice. Likewise, there was a small loudspeaker on my vessel through which we could hear the communications on the radios. Therefore, all crew members on my vessel heard Meas Mut’s voice. [...] during this special operation, Meas Mut talked on the radio himself, and he commanded the involved units directly”].

1341 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.07.31-11.10.36 [“When there was a capture, we had to make an immediate report to the battalion and then it was the battalion who made the report up to the regiment, and the regiment reported to the division. Unless the division sent back the order, soldiers could not carry out the operation”]; **D54/87** Prum Sarat WRI, A138-139, 141 [“Q: How and by whom were reports made about the capture of those Vietnamese soldiers and civilians? A138: When they were arrested, they reported via communication radio from the islands to the division. Q: Did they report the arrest of the Vietnamese to Meas Mut or someone else? A139: In cases of reporting, when Meas Mut was at the Office, they would report to him directly. But when he was not around or was absent, they reported to person acting for him. [...] A141: They reported via communication radio, and the people at the communication radio location would enter the record [daily], no matter what information it might be, so that it could be sent to Meas Mut”].

- 1342 **D114/40** Moul Chhin WRI, A79-82 ["Q: How did you know the orders came from Kampong Som? A79: I could hear the orders via radio at the ready line, close to the port. Generally, the location where they brought people who had been captured depended primarily on the place of capture. When they captured people close to this island, they brought those people to the nearest headquarters, which on this island. It was the same for people who were arrested on Koh Poulo Wai Island and Koh Tang Island. Fishermen who were captured were brought to one of many headquarters under Division 3, depending on where they had been captured. Q: Is what you are telling us in relation to the communication that you heard via radio? A80: Yes, it is. As far as I understood, every time when they captured people or boats, the battalion and regiment had to report to the division in Kampong Som. Q: As for the island where you were stationed as a guard, were there any reports or notifications later sent to the division about what happened to the people who were arrested? A81: Yes, there were. Generally, reports were sent back to Kampong Som about what happened to those who were captured. Q: Do you remember what words they used for communicating with each other? A82: They used phrases such as 'It is done.' or 'They have already finished off those people.'].
- 1343 **D114/140** Chea Phon WRI, A36 ["Q: What communication system did you use to communicate with the mainland? A36: We used a C25 radio which the Americans had installed on the ship"]; **D54/78** Nop Hal WRI, A13-17 ["I was [the pilot] of a motor boat, and I always turned on the communication radio. It was a working habit that we turned on the two-way radio once every single hour. [...] A14: Generally, there were radios on the ships, motorboats, and in every company and regiment to support communication. [...] Q: Did all the battalions that were under the control of Regiment 62 use the same frequency? A15: They used the same frequency. [...] Q: [...] could you hear communications between Regiment 62 and Division 164? A16: No, I could not. Regiment 62 used a different frequency to communicate with Division 164. [...] Q: Did Regiment 140 use a radio frequency that you could receive? A17: Each regiment had battalions under its control, and only those battalions could receive that regiment's frequency. Other battalions could not receive that regiment's frequency. For example, I could only hear communications among the battalions subordinate to Regiment 62"]; **D54/83** Hing Uch WRI, A30 ["Q: In your interview with the [DC-Cam] (on page 16 in English) you said that some cases when boats were captured, they sent the information via walkie-talkie, not via telegraph. Why was the information about capturing boats sent via walkie-talkie and not telegraph? A30: As I told you at the beginning, in urgent or necessary cases, we communicated via walkie-talkie; then when we summed up what we had done and we wrote that into telegrams. Let me tell you more: the telegraph was too slow for an urgent case, so we used communication via walkie-talkie instead because it was faster"]; **D54/25** Pak Sok WRI, A1 ["Q: In general, when the crew of a naval vessel received an order to kill or send captured persons, was the order made orally via communication radio or via Morse code? A1: The order was made orally via communication radio"].
- 1344 **D54/83** Hing Uch WRI, A1 ["I would like to clarify that they used the telegraph because it was secret work"]; **D54/78** Nop Hal WRI, A16 ["Another means of communication was to use the Chinese telegraph. That means of communication was used between battalions and regiments and between Regiment 62 and Division 164"].
- 1345 **D54/82** Hing Uch (Telegram decoder of Regiment 62, Division 164) WRI, A19-20 ["Normally, at my level I had to send a report once a day in the evening. The report was sent to the division to summarize the work on all the islands. Q: I would like you to describe the daily reports related to events such as security, food supplies, and so on. A20: Regarding the generation of the daily reports, first we collected reports from all of the islands under the control of our regiment. Then we checked all of those reports, including health problems, other situations, and construction. Then we summarised each point, wrote the important points into the report in the order of their significance, and wrote all of the points into that one report. Then we sent it to the division"].
- 1346 *See V. Communications.*
- 1347 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00143507, KH 00017026, FR 00611668 [Report included the "total number of arrested and fired Vietnamese from 27.3.78 to 30.3.78 [as being] 102 people" and accounts for the delayed exchange of Thai prisoners for "3 cartons of cigarettes" as being due to the misspelling of their names"]; **D1.3.12.20** Report from Meas Muth to Son Sen, 12 Aug 1977, EN 00233972, KH 00020912, FR 00623197 ["Yesterday, on August 11, 1977 when operating a patrol, we caught two machine boats: 350-horse and 175-horse. The latter carried five people with no fishing equipment. They were arrested 2 kilometers from Koh Kong"]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978, EN 00233649, KH 00020982, FR 00623220 ["At Koh Wai island, on March 20, 1978 at 4 am, our brothers and sisters saw a Siamese motor-driven boat [...] We

caught the boat with 21 people at 5 am [...] 3. At Koh Tang island, on March 20, 1978 at 2.30 hours, our 800-cc motor-driven boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people-both young and old, male and female. When we tied them up, the smaller motor-driven boat was shaky and plunged. As a result, two people fell into the water and [have not] been found. The rest have been brought to the main land”]; **D1.3.34.10** Telegram 44 from Meas Muth to Brother 89 (Son Sen), 13 Aug 1976, EN 00233647, KH 00000860, FR 00323217 [““On 12 August, we stopped [a] ship that had stopped over at Koh Tang. Afterwards, an airplane came in, flying in a circular path around Koh Tang Island. [...] On 12 August, we had [an armed] clash with the Thai fishermen. The fighting lasted nearly four hours at a distance of four or five kilometers from Koh Kong. As a result, we captured one Thai fishing boat, while the people [in the boat] fell into the water”]; **D1.3.12.18** Telegram 09 from Division 164 Secretary Meas Muth to Son Sen, 29 May 1977, EN 00233992, KH 00162487, FR 00532721 [Recounts pursuing Thai fishing canoes after “[infiltrating] very deep in our seawaters” and “[meeting] a fleet of some 50 to 60 Thai boats. When we approached them, many of them escaped, and we only captured one of their C400 boats, with nobody aboard” and “Vietnamese fishing boats entered our waters as far as 10 kilometers from Reusse Island. They operated at night; we could only see them via radar. On 28 May at 7 am in the morning, we saw a Vietnamese big ship, northeast of Tral Island in our waters. The ship remained there until the night fell when they moved to position southwest of the island in our waters”, annotation from Son Sen: “For the Vietnamese ship moving about [in our waters], [...] I send Comrade Mok to view [the situation] in base collectives. 2-Go to seek measures; if they deny to withdraw, [we will] attack them [in a sudden and short attack], but [we have to be] watchful in case there will be reaction from their air [force]”]; **D1.3.12.7** DK Report, Aug 1976, EN 00233963, KH 00021503, FR 01248460 [“In front of Koh Kong, the Thai come to catch fish in a large and destructive scale. [...] There is a clash between us and them for a period of nearly four hours at a distance of 4 km in front of Koh Kong. We catch a fishing motor-driven boat. The persons on the boat fall into the sea [...] We catch two Thai motor-driven boats: 50-horse and 400-horse. They have 18 persons in total. Two of their three arms drop into the water. One rifle and a radio remain”]; **D54/11** Mea Ret WRI, A20 [“Ta Mut had to report all these events, such as firing at and capturing Vietnamese boats, to upper echelon so that the upper echelon would take appropriate measures”]; **D1.3.34.23** Telegram 28 from Soeung, 12 Aug 1977, EN 00233655, KH 00020910, FR 00504131 [Annotation by Khieu Samphan: “(1) To *Angkar* for information. (2) Based on the oral report of Comrade Mut, yesterday we caught a boat (150 hp) in Koh Kong Krao on the southern part of the island. The place where Brother and I docked the ship. Arrested 4 Thais and 1 Khmer. Their responses are relevant. There were bamboo rafts on the boat. Under interrogation”].

1348 **D54/54** Meas Voeun WRI, A17 [“I would like to explain the division of operations of Division 1 back then. Division 1 headquarters was located in Banteay Longveaek; because Koh Kong was in the West Zone, Division 1 was divided into two parts [...] One regiment, which had a battalion under my command, operated at Koh Kong. The other part was stationed at the headquarters in Banteay Longveaek”].

1349 **D54/51** Meas Voeun WRI, A17 [“Q: You said earlier that the navy always conducted its operations along the coast and on the sea, and Division 1 of the West Zone operated at the coast of Koh Kong Province. Could you explain the relationship between the navy and Division 1 of the West Zone? Which was more powerful? A17: [...] Between the navy and Division 1 of the West Zone, neither was more powerful than the other. Division 1 was not equipped with military equipment to be a navy. Division 1 was a ground force of the West Zone. The role of Division 1 was to defend the territory along the border in the West Zone along both the maritime and land borders. If there were any conflicts on the sea with another country, Division 1 would contact the navy to intervene and deal with the conflicts because they had warships, and we did not. Division 1 only had small boats for patrol and transport”].

1350 **D54/51** Meas Voeun WRI, A18, 20 [“Q: Between Division 1 of the West Zone and the navy, which was in charge of protecting the sea borderline between Cambodian territorial waters and the international territorial waters, the sea borderline between Cambodia and Thailand, and the sea borderline between Cambodia and Vietnam? A18: The navy had areas on land, sea, and the border under its control, and so did Division 1. Because the West Zone was bordered by Thailand and the international waters, some parts of the sea borders between Cambodia and the international waters and Cambodia and Thailand were under the control of Division 1. The other parts of the borders were under the control of the navy. Division 1 had its own motorboats to patrol along the borderlines. If there were any serious issues on the sea, Division 1 would contact the navy for intervention. [...] Q: Do you remember if the navy intervened to assist Division 1 at Koh Kong? A20: I do not remember any event when the navy intervened, but the navy often came to anchor in Koh Kong for about a fortnight each time. They came every month, two or three ships each time”].

- 1351 **D54/51** Meas Voeun WRI, A18, 20 ["Q: Between Division 1 of the West Zone and the navy, which was in charge of protecting the sea borderline between Cambodian territorial waters and the international territorial waters, the sea borderline between Cambodia and Thailand, and the sea borderline between Cambodia and Vietnam? A18: The navy had areas on land, sea, and the border under its control, and so did Division 1. Because the West Zone was bordered by Thailand and the international waters, some parts of the sea borders between Cambodia and the international waters and Cambodia and Thailand were under the control of Division 1. The other parts of the borders were under the control of the navy. Division 1 had its own motorboats to patrol along the borderlines. If there were any serious issues on the sea, Division 1 would contact the navy for intervention. [...] Q: Do you remember if the navy intervened to assist Division 1 at Koh Kong? A20: I do not remember any event when the navy intervened, but the navy often came to anchor in Koh Kong for about a fortnight each time. They came every month, two or three ships each time"]; **D54/34** Ing Chhon WRI, A11 ["Did Division 1 have any naval boats or vessels to protect the coast? A11: Division 1 had only small wooden boats for normal use and had no combat ships. Only Division 164 had larger ships and fighting vessels to protect the territorial waters of Cambodia"].
- 1352 **D54/51** Meas Voeun WRI, A17 ["Q: You said earlier that the navy always conducted its operations along the coast and on the sea, and Division 1 of the West Zone operated at the coast of Koh Kong Province. Could you explain the relationship between the navy and Division 1 of the West Zone? Which was more powerful? A17: [...] Between the navy and Division 1 of the West Zone, neither was more powerful than the other. Division 1 was not equipped with military equipment to be a navy. Division 1 was a ground force of the West Zone. The role of Division 1 was to defend the territory along the border in the West Zone along both the maritime and land borders. If there were any conflicts on the sea with another country, Division 1 would contact the navy to intervene and deal with the conflicts because they had warships, and we did not. Division 1 only had small boats for patrol and transport"].
- 1353 **D54/34** Ing Chhon WRI, A1-7 ["Q: You said that your job in Koh Kong was to wait for orders to capture of illegal fishing boats. Could you explain who issued the orders to conduct such captures? A1: It was Ta Mut. He issued orders by telegram to the ship commander. I was just an ordinary sailor. My boat commander was my superior. Who Ta Mut received his orders from, I do not know. Q: How did you know that Ta Mut gave the orders? A2: There was a telegraph machine at Ta Mut's place. There was another telegraph machine at the former royal residence near Koh Kong Port. When the telegraph operators there received any orders from Ta Mut's place, those telegraph operators sent those orders to the ship commanders. The telegraph operators worked in their office near the port. Q: What military unit did these telegram operators belong to? A3: Those telegraph operators were sent from the division office to work there because they were trained in telegraph operations. As sailors on the ships, we did not know how to use the telegraph. Q: Did you know whether those orders were sent directly from the division to the ship commanders or were they sent first to the respective regiment or battalion levels first? A4: I did not know how the communication was done between those places. However, the communication system at my place was that telegram messages were sent directly from the division to the Koh Kong Telegram Office. The people who operated the telegraph machine were soldiers from Division 164. Q: Do you know who was the first to capture these targeted illegal fishing boats? A5: During that time Infantry Division 1 was deployed at various places in Koh Kong, and Ta Voeun was the commander of this division. Division 1 had their binoculars and radars to scan for illegal fishing boats. When they located a target they sent the information to the ship unit, and then the ship unit reported on to Ta Mut by telegram. Ta Mut would then send his orders back to the ship commanders on how to deal with those fishing boats. However, according to my observations on the communication systems between the leadership echelons in the Koh Kong region at that time, sometimes they used messengers to row their boats to communicate from place to place. They did not use radio or telegram to communicate. Q: Where were the radar and binoculars installed during that time? A6: I wish to tell you that during that time, my ship unit was not positioned in only one place in Koh Kong Town; we moved from place to place to defend against attack by Thai aircraft. Sometimes we were moored at Pory Lamdam while sometimes were moored at Pory Av Yeay Saen. These two islands were in Koh Kong. The radar system was installed on Koh Kong Island because from there they were able to watch over the open sea. Q: What unit operated the radar and binocular station? A7: The radar and binocular station was under Division 1"].
- 1354 **D54/52** Meas Voeun WRI, A18-19 ["After we had seized the Thai fishing boats, we reported to Ta Soeung. Afterwards, Ta Soeung told us to send the captured fishermen to Kampong Som, and to keep the fishing boats in Khaemrak Phoumen City. Q: According to what you remember, how many Thai fishing boats did your unit capture when you were in Koh Kong? A19: According to my memory, we arrested around ten Thai

fishermen, but we captured around 50 to 60 fishing boats. The number of fishermen captured was fewer than the number of fishing boats because whenever we approached the boats, the fishermen jumped off their fishing boats to escape capture”].

1355 **D54/53** Meas Voeun WRI, A16-20 [“We sent those Thai fishermen by motorboat accompanied one of the company personnel, two crew members, and three guards. During that time, my unit captured 10 people, and we sent them all to Kampong Som each time. Q: After the capture of those Thai fishermen, where in Kampong Som did you send them? A17: We sent those fishermen to the Navy at Kampong Som Port. The small docks where the small motorboats were docked were located about 200 metres from the Kampong Som Port. Q: Did you inform the Navy in advance before you sent the fishermen to them? A18: We informed Ta Soeung, and he informed the Navy before we sent them. Q: Why were the captured fishermen sent to the Navy? A19: The military personnel in Kampong Som waiting to receive the captured fishermen were not sailors in the Navy. They were soldiers of Division 1. After those soldiers received the arrested fishermen from me, my mission was complete. As for what the Navy did with the fishermen, I do not know. Q: Why were soldiers of Division 1 stationed in Kampong Som? A20: I do not know the reason, but after Ta Soeung’s soldiers took the fishermen from me, I left”].

1356 **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 09.58.08- 09.59.56 [“the division issued the orders to me to defend the maritime boundary of Kampuchea, and I received the order to prevent any armed Vietnamese boats from entering our boundary with any kinds of ambition. In such case, I would carry out my mission”], 13.55.27-13.56.33 [“the soldiers who were on the vessels needed to perform their assigned tasks. And they had to be ready to attack the enemies who trespassed into territorial sea of Kampuchea”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.44.05-13.46.19 [“the order came from the upper echelon and it went down to the battalion and afterwards soldiers had to perform the task to kill a few people right away after capturing them. Without an order, we would not dare do it”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576 [“Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons, they killed them. [...] Q: Were they mostly Yuon soldiers? A: They were mostly the refugees escaping to the third country. [...] When we arrested them, we shot them to dead. Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes”]. *See also* **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.13.18-09.17.06 [“we had to defend the country, our territory and sovereignty and not to allow the ‘Yuon’ to invade us – that is, the external ‘Yuon’ from their country [...] the policy at the time was to counter the attempts to invade Cambodia by the external ‘Yuon’”]; **D98/3.1.179** Meas Voeun, T. 4 Oct 2012, 13.42.26-13.45.57 [“there was a plan to smash the Yuon enemy and the infiltrated enemy within the units”].

1357 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.16.59-14.19.02 [“Regarding Vietnamese refugees, [...] when they were captured by my unit I would send them to my upper leadership level and whatever decision they made that was theirs”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.24.04-09.25.26 [“when those ‘Yuon’ people were captured, I would send them to the upper level, but there was no plan to smash themT&C – See quote in previous fn from same witness explicitly stating there was such a plan. Needs to be explained?”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.44.05-13.46.19 [“Vietnamese people were sent to Ou Chheu Teal harbour or port to board vehicles and afterwards they were transported to Kampong Som or Otres or Chamkar Doung. People were arrested, sir, on a monthly basis in 1977, 1978 which was an intensive time of arrest”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.05.46-10.06.16 [“if there was an order from the division to send those Vietnamese on land, we had to follow the order. Afterwards, I did not know where those Vietnamese were sent to”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576-77 [“Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons, they killed them. Q: Where did they kill them? A: Sometimes they killed them on the Island. Q: Did [they] not [...] send them to the shore? A: Sometimes they killed them on the Island. Q: Were they mostly Yuon soldiers? A: They were mostly the refugees escaping to the third country. [...] Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes. Q: Did they also send any of them to the shore? A: Yes, they did”]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [“In Kep at 8 pm of March 19, 1978 we fired at a Vietnamese 22 CC motor-driven boat one km south of Koh Khyang Island. It sank as a consequence. We suffered no damages [...] At Koh Tang island, on March 20, 1978 at 2.30 hours, our 800-cc motor-driven boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people-both young and old, male and female. When we tied them up, the smaller motor-driven boat was shaky and plunged. As a result, two people fell into the water and [have not] been found. The rest

- have been brought to the main land”]; **D1.3.30.25** Confidential Telephone Communication from Mut (Meas Muth) to Pol Pot, Nuon Chea and Ieng Sary, 1 Apr 1978 [“Total number of arrested and fired Vietnamese from 27.3.78 to 30.3.78 are 102 people. In this period we also confiscated 5 machine boats”].
- 1358 **D54/16/1R** Meas Muth Interview with David Kattenburg, Apr 2009, 35:30-39:33 [“Q: So, I want to understand enemy Vietnamese boats that were seized in 1978 on the waters on the gulf of Thailand around Koh Tang, Puolo Wai, how often, and what would happen to the crew of those boats? When things were getting hot, when things were getting tense? A: It was about one time in every three months on average. They are coming, they masqueraded, would pretend they are fisherman, but they would spy us [...] they arrest and send back [...] They were sent to Phnom Penh [...] Q: They would take them to Bamboo island? A: Yes. Close to Sihanoukville. Vietnamese soldiers”].
- 1359 **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 10.02.03-10.04.01 [“I witnessed firsthand two execution scenes, the first time, when they executed Vietnamese people at sea and then seized their boat, and the second time was when they executed Vietnamese refugees who had been captured, on Poulo Wai Island”], 10.12.20-10.13.34 [“when there was a Vietnamese boat encroaching the Kampuchean territorial waters, the forces on the island would take measure against them either to seize them and send them on shore or a similar action was taken”], 10.47.35-10.49.35 [“the division sent the instruction to vessels to be vigilant. So that information contained some information like the arrest of “Yuon” and their boats [...] It was the task of the people who were in charge of the maritime boundary”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.29.11-14.31.22 [“I did not hear any instruction of not arresting those people. I only heard of instructions to arrest them [Vietnamese refugees]”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 10.55.25-10.58.17 [“they were Vietnamese and they tried to cross the Southeastern part of the maritime boundary, east of that Tang Island. and they were arrested”], 15.49.55-15.53.04 [“Vietnamese troops or Vietnamese boats, which entered Cambodian Territorial Waters, were arrested”].
- 1360 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.03.07-11.07.31 [“One day, three Vietnamese were arrested, a husband, a wife and a one-year-old child. After they were sent to Poulo Wai island, [...] they were killed with the hoes and the bamboo clubs. [...] the soldier picked up the baby and smashed against the trunk of the coconut tree. [...] They were ordinary citizens since they had no military uniforms on them and perhaps they were ordinary citizens”]; **D98/3.1.178** Meas Voeun, T. 4 Oct 2012, 10.23.23-10.26.02 [“Occasionally, we saw Vietnamese boats. Sometimes we spotted once a month. Sometimes we captured it, sometimes they fled. [...] They were Vietnamese people. There were women, there were children, and there were men. They could be husbands and wives. But usually those boats were of a small size. [...] They were also sent to Kampong Som. [...] Their destination was to go to Thailand. But because they did not speak Khmer that fluently, I could not fully understand [...] when they spoke”]; **D54/79** Nop Hal WRI, A8, 11, 18, 23 [“At that time, they seized a Vietnamese boat from the Koh Poulo Wai Chas Island. There were around 16 people including men, women, and children. At that time it was probably in early 1978 [...] A11: Through my observations, they were not fishermen, but refugees. We could not speak Vietnamese language, so we could not communicate with them. But some of them put three fingers up and pointed to the west. Through this gesture they wanted to show that they were just passing that area in order to travel to a third country in the Western world [...] Q: In addition to what you described previously, was there anything else to prove that they were just refugees? A18: In my opinion, if they were fishermen, they would have had some fishing tools such as *Uon* (= kind of large fishing net), *Morning* (= kind of gill net), hooks, and so on. And if they were soldiers, they would have had uniforms, weapons, and grenades. However, they had nothing besides clothes and food [...] A23: Vietnamese who were captured were ordinary people; they were both males, females, and children [...] I heard on the radio that those Vietnamese were spies who came to collect information in Cambodia. Those were the words they used at that time, ‘The Vietnamese are spies’, but I did not believe all of those words. According to my observations, they were just ordinary people who tried to flee from one country to another”]; **D54/25** Pak Sok WRI, A11-12, 22 [“Q: Based on your experience and knowledge in your unit and other units of the navy between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? A11: Thousands. They included [...] Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland. [...] A12: [...] I participated in three capture incidents. The first involved Vietnamese refugees [...] A22: I saw another event when I captured and transported 13 Vietnamese refugees”]; **D54/23** Pak Sok WRI, A28, 31, 37-38 [“it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance. [...] Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong,

given that those people knew nothing at all. They were just fleeing war to survive [...] A37: Those Vietnamese were refugees who were travelling to Thailand, and they travelled through our waters between Koh Tang Island and Koh Poulo Wai Island [...] A38: They were not armed and had no intention to resist”]; **D54/87** Prum Sarat WRI, A121-125, 132 [“I remember witnessing the capture of Vietnamese boats two times during my time on Koh Poulo Wai Island. [...] A122: I witnessed the events [capture] two times [...] A123: I saw male and female Vietnamese, including children. They were refugees. [...] I saw them in 1977, but I do not recall the dates. Q: Can you estimate the number of people on the boats? A125: In the first event, five to six Vietnamese were arrested. The number could have been higher than that, but I have forgotten. Q: Since you kept a daily log, how many Vietnamese, as far as you remember, were arrested by navy units stationed on the islands? A132: It is estimated that the number of the Vietnamese arrested was more than a hundred”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576, KH 00955507-08 [“If they had arrested Yuons, they killed them... They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area”]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [“At Koh Tang island, on March 20, 1978 at 2.30 hours, our [...] boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people -both young and old, male and female”]; **D54/11** Meu Ret alias Saret WRI, A3 [“I once saw a grey wooden boat about fifteen metres long and four metres wide kept at the Ou Chheu Teal port. I heard from other soldiers that the boat had belonged to Vietnamese refugees who had intended to flee to a third country”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974222 [“Q: When you saw the boats, you went to check and you saw the Vietnamese. What did you do? A: We arrested them [...] Some of them were refugees [...] Q: [...] For the Vietnamese, you mentioned that there were refugees or fishermen? A: Right! [...] We were instructed not to arrest the civilians. We could arrest them for detailed investigation to check whether they were really refugees or not. If they wanted to leave safely, we could let them go and we were sometimes willing to send food supplies to them. They headed to the west by boat, but we asked them not to come into these areas again. However, such people would not return. Each small boat carried around eight persons; their travelling was adventurous. Having seen them travelling on small boats, we pitied them very much. Q: Regarding the intelligence agents coming to our islands, was there any instruction from the division? A: We were instructed to arrest them, and sent them to the S-21”]; **D114/57** Som Saom WRI, A20-23 [“Q: Why did you state that the boat was not a fishing boat? A20: I stated that because the boat could carry a lot of passengers. I assumed that that boat could have been used to carry the Vietnamese migrants or refugees. Q: What genders were those Vietnamese? A21: There were men, women and children. Q: How did you know this? Did you see them on any occasion? A22: I was walking along the beach, when I saw the Vietnamese passengers. Among them, I saw children of between seven and ten years of age crying. Q: You stated previously that this incident occurred at night time. How could you see them? Was there any light? A23: I was between fifteen and twenty metres away from them. I saw them on the beach. The moon light was bright enough to let me see the full view of what was happening”]. A minority of Vietnamese arrested or executed were also fishermen: **D114/126** Ou Kim WRI, A32 [“Q: When we talk about the capture of fishing boats, you are referring only to Thai fishing boats, correct? A32: Both Thai fishing boats and Vietnamese fishing boats”]; **D2/6** Nhong Chrong WRI, A42-44 [“Q: As for the Thais and Vietnamese fishermen, after they had arrested them did they take them to be killed at that place also? A42: Yes, they took them to that place also [...] they were the arrested Vietnamese and Thai [...] [fishermen]”]; **D2/9** Say Born WRI, A58 [“Q: In case the pursuit-vessel unit had arrested the Vietnamese and Thai [fishermen], how did they do with them? Did they detain them or take them anywhere? [...] A58: [...] The group in charge of arresting people had their own wooden boat [...] This was the unit in charge of arresting the illegal border crossing and fish[er] men”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978573-74, KH 00955503 [“we often captured [fishing ships (see correction on EN 00978573)] and interrogated them [...] Usually they were men. [...] [The arrested fishermen were] Thais and Yuons”]; **D54/25** Pak Sok WRI, A11 [“Q: Based on your experience and knowledge in your unit and other units of the navy between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? Thousands. They included [...] Vietnamese fishermen [...] who were arrested and killed on the sea, on the islands, or on the mainland”]; **D1.3.32.9** Chhun Phal WRI, EN 00163814 [“Vietnamese prisoners [at S-21] were held in small one-person cells; they came in during approximately 1978. I questioned a Vietnamese prisoner who could speak some Khmer, and he said that he came from Tly Ninh and he was a fisherman, not a soldier. He had been fishing on the ocean, at the border”]; **D114/19** Ma Chhoeun WRI, A18 [“They instructed us that if we saw fishing boats enter our territorial waters [...] if those boats came deep inside our territorial waters and remained inside them for long,

- we should attack them immediately. Such incidents frequently occurred in my area. My area was near the Vietnamese border, so most of the fishing boats which entered our territorial waters were Vietnamese motorboats. Most of those fishing motorboats were armed with guns and weaponry”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, 19 May 2007, EN 00974222, KH 00926399 [Q: For the Vietnamese, you mentioned that there were refugees or fishermen? A: Right!]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217571 [“They were told to keep track of, patrol and watch Vietnamese fishing boats and other maritime affairs”]; **D114/283** Ek Ny WRI, A4 [“Q: At that time, for the Vietnamese whom you arrested, were the most of them people who smuggled piglets and who had immigrated on boats? Were there some fishermen and Vietnamese soldiers? A4: Most of them were the piglet smugglers and Vietnamese fishermen”].
- 1361 **D54/25** Pak Sok WRI, A20 [“I saw the first event, the capture and killing of a Vietnamese husband and wife and an infant about one year old on Koh Poulo Wai Chas Island at the end of 1976 or early 1977”]; **D54/79** Nop Hal WRI, A8 [“At that time, they seized a Vietnamese boat from the Koh Poulo Wai Chas Island. There were around 16 people including men, women, and children”].
- 1362 **D114/127** Ou Kim WRI, A3 [“Q: in your interview with the Documentation Center of Cambodia on Page 23 you said that on average there were about 50 or 60 Vietnamese refugees. In yesterday’s interview, in response to Question 38, you said that there were only about 30. Can you clarify this point? A3: I told you the minimum number of persons on a boat but actually sometimes there were 50 and other times there were 70 on board one boat”].
- 1363 **D114/126** Ou Kim WRI, A36-37 [“As I remember, there were no Vietnamese fishing boats, only Vietnamese refugee boats. Q: Regarding the Thai boats and the Vietnamese boats, can you clarify which were more numerous? A37: More Thai boats were captured than Vietnamese refugee boats. Q: On average, how many people were in each Vietnamese refugee boat? A38: On average, there were 30, both women and men”].
- 1364 *See, e.g.*, **D54/23** Pak Sok WRI, A37-38 [“Those Vietnamese were refugees who were travelling to Thailand, and they travelled through our waters between Koh Tang Island and Koh Poulo Wai Island [...] A38: They were not armed and had no intention to resist”].
- 1365 **D114/126** Ou Kim WRI, A36-41 [“As I remember, there were no Vietnamese fishing boats, only Vietnamese refugee boats. Q: Regarding the Thai boats and the Vietnamese boats, can you clarify which were more numerous? A37: More Thai boats were captured than Vietnamese refugee boats. Q: On average, how many people were in each Vietnamese refugee boat? A38: On average, there were 30, both women and men. Q: Why do you say that those people were Vietnamese refugees? A39: Some of them could speak Khmer, and they told us that they wanted to travel to new countries such as the Philippines, Singapore, Taiwan, and so on. Q: Did you hear this directly? A40: No. I heard that from the soldiers patrolling along the beach. Q: Why do you say they wanted to go to Taiwan? Taiwan is in a completely different direction from the direction from Vietnam to Cambodia that they were travelling. A41: I do not know. I do not understand either, but I heard those soldiers say that, and those soldiers heard that from those refugees”].
- 1366 **D54/79** Nop Hal WRI, A8, 11 [“At that time, they seized a Vietnamese boat from the Koh Poulo Wai Chas Island. There were around 16 people including men, women, and children. At that time it was probably in early 1978 [...] A11: Through my observations, they were not fishermen, but refugees. We could not speak Vietnamese language, so we could not communicate with them. But some of them put three fingers up and pointed to the west. Through this gesture they wanted to show that they were just passing that area in order to travel to a third country in the Western world”]; **D54/23** Pak Sok WRI, A31, 37-38 [“Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive [...] A37: Those Vietnamese were refugees who were travelling to Thailand, and they travelled through our waters between Koh Tang Island and Koh Poulo Wai Island [...] A38: They were not armed and had no intention to resist”]; **D2/9** Say Born WRI, A58 [“Q: In case the pursuit-vessel unit had arrested the Vietnamese and Thai fish[er] men, how did they do with them? Did they detain them or take them anywhere? [...] A58: [...] The group in charge of arresting people had their own wooden boat [...] This was the unit in charge of arresting the illegal border crossing and fish[er] men”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978573-74, KH 00955503 [“we often captured [fishing ships (see correction on EN 00978573)] and interrogated them [...] [The arrested fishermen were] Thais and Yuons”]; **D114/19** Ma Chhoeun WRI, A18 [“They instructed us that if we saw fishing boats enter our territorial waters [...] if those boats came deep inside our territorial waters and remained inside them for long, we should attack them immediately. Such incidents frequently occurred in my area. My area was near the Vietnamese border, so most of the fishing boats which entered our territorial waters were Vietnamese motorboats. Most of those fishing motorboats were armed with guns and

weaponry”]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217571 [“They were told to keep track of, patrol and watch Vietnamese fishing boats and other maritime affairs”]; **D114/127** Ou Kim WRI, A4 [“Q: You said that there were men, women, and children. Can you describe this? A4: I saw babies, small children and children just six or seven years old. I noticed that most of the refugees were children and women. Most of the men were just boat pilots or crewmembers”].

1367 **D54/79** Nop Hal WRI, A23 [“Those were the words they used at that time, ‘The Vietn[a]mese are spies’”]; **D114/283** Ek Ny WRI, A18 [“It was the law set by the upper levels that we had to absolutely smash the Vietnamese race regardless of whether they were just ordinary citizens or fishermen [...]. We had to arrest them all”]. *See generally* **D1.3.26.7** BBC/SWB, *Confession by Vietnamese Spy*, 4 Apr 1978, EN S 00010459, KH 00225133, FR 00305294-95 [Reports a 27 March 1978 Phnom Penh radio broadcast of a confession by a Vietnamese private (Chiu Ly) who is said to have been captured on 10 February 1978 on Poulo Wai island and was supposedly recruited as a Vietnamese intelligence agent by the police chief of Kien Gian Province]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 13.42.22-13.44.06 [“he said [Son Sen, the commander-in-chief] that in Cambodia there were spy agents who belonged to the Vietnamese and Soviets”].

1368 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.55.47-11.00.37 [“The status of the Vietnamese were greatly different from that of the Thai. The Vietnamese were considered as the hereditary enemy of Pol Pot, so regardless of whether they were military or civilians, when they had guns and shot at us, they must be shot and sunk. [...] When we knew that they were ethnic Vietnamese and they had guns, and then we received the order that because they had guns, regardless of whether they were military or they were civilians, so the order was that the vessel must be sunk”]; **D54/23** Pak Sok WRI, A28-29 [“Yes, it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to [the] upper echelon clearly in advance [...] A29: [...] If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974206, KH 00926384 [“There were some boats entering our territory. When I went to check, they were the Vietnamese boats [...] We arrested them [...] some were youths in their commando uniforms. Q: Did they wear Vietnamese army insignia? A: Well, they were the Vietnamese soldiers”].

1369 *See* **VIII.D. S-21 Security Centre**.

1370 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.31.21-13.38.32 [“there was a training session, and [there] they announced clearly about the hereditary enemy of the Khmer, that was ‘Yuong’ [...] it was the policy of the Communist Party of Kampuchea. They announced that all soldiers in division 164 needed to attend the training. [...] [At the training] [w]e were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them”]; **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 15.57.30-15.58.47 [“starting from 1970, they [Vietnamese] were peacefully sent [...] back to their country by the Cambodian government, and that continued until 1975. So then for us, later on we were instructed that Vietnamese had to be smashed because they did not return to their country”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576 [“Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons, they killed them. Q: Where did they kill them? A: Sometimes they killed them on the Island. Q: Did [they] not [...] send them to the shore? A: Sometimes they killed them on the Island. Q: Were they mostly Yuon soldiers? A: They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them, we shot them to dead. Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes”]. *See also* **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.35.04-13.37.29 [“After the liberation in 1975, the soldiers were obliged to protect the territory of borders at sea. [...] We were told to defend the maritime territory instead and we were told that we needed to prevent the Vietnamese and others from entering into the maritime territory of Cambodia”].

1371 **D114/283** Ek Ny WRI, A18.

1372 **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.41.09-14.42.57 [“To comply with the rules and regulations of Revolutionary Democratic Kampuchea, no release after the arrests because we learned that Vietnamese were our hereditary enemy”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.31.21-13.38.32 [“there was a training session, and [there] they announced clearly about the hereditary enemy of the Khmer, that was ‘Yuong’ [...] it was the policy of the Communist Party of Kampuchea. They announced that all soldiers in division 164 needed to attend the training. [...] [At the training] [w]e were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 10.59.15-

11.01.03 [“Two targeted groups of people were considered enemies of the Democratic Kampuchea; one was the Vietnamese troops who were trying to attack and capture the territory of Cambodia including islands. This was considered the external enemy.”], 11.06.46-11.08.27 [“the policy, at the time, was that those enemies of Kampuchea were in two categories; the first category was the Vietnamese and the second category was the internal enemy”]; **D54/23** Pak Sok WRI, A31-34 [“Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive. But at the time, the Khmer Rouge considered the Vietnamese as heredit[ar]y enemies [...] A32: [...] the Thais had not ha[d] much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that’s why the Vietnamese were considered the Hereditary Enemy and Enemy Number One. Q: Why do you know all these things? A33: Because the commanders of the battalions and regiments underwent training with the division, and when they returned from the training they taught us about this in training sessions. Q: Who were responsible for political education in Division 164 from 1975 to 1979? A34: Meas Mut, who was then Political Commissar of the Division”].

1373 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 13.42.22-13.44.06 [“he said [Son Sen, the commander-in-chief] that in Cambodia there were spy agents who belonged to the Vietnamese and Soviets”]; **D54/79** Nop Hal WRI, A23 [“Those were the words they used at that time, The Vietn[a]mese are spies’ but I did not believe all of those words. According to my observations, they were just ordinary people who tried to flee from one country to another”]; **D1.3.26.7** BBC/SWB Report, *Confession by Vietnamese Spy*, 27 Mar 1978, EN S 00010459, KH 00225133, FR 00305294-95 [concerning a 27 March 1978 Phnom Penh radio broadcast of a confession by a Vietnamese private (Chiu Ly) who was said to have been captured on 10 February 1978 on Poulo Wai island and was supposedly recruited as a Vietnamese intelligence agent by the police chief of Kien Gian Province].

1374 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.48.29- 13.51.26 [“when there was a capture of each vessel, there was [an] order from the top that the arrested people needed to be sent [...] on [to] land, but if the number of arrested people were just only a few people, and then the order was that they needed to be killed on the sea, and only the vessels were brought in for use in units”], 13.58.15- 13.55.13 [“when the number of people were less, there was an order to kill on the spot because they did not want to bother with interrogating them”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.00.38-14.04.42 [“When we arrested one or two, we had to kill them on the spot on the island or at sea. [...] For a small group of people who were arrested, the instruction was to execute them because it would be a waste to transport them. [...] we had to execute them on the island or at sea and there was no need to bring them on shore”].

1375 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.41.42-10.45.27 [“from 1977 to 1978 [...] People were subsequently arrested and sent through the port. Among them were Thai fishermen and several ethnic Vietnamese who were travelling to Thailand. So at that time they were arrested and killed and they were not sent out to anywhere”], 11.03.07-11.06.59 [“Concerning the Vietnamese, some of them were sent to us on board and on some other occasions, if there were many of the Vietnamese, they would be sent ashore. But if there were only a few Vietnamese, they would be killed right on the island”].

1376 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.37.31-10.39.57 [“When people were brought in, usually, they were taken out by truck immediately to Kampong Som town”]; **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.10.55-14.14.10 [“when a Vietnamese boat was captured, then we would give or hand the boat to the forces from Division 64 (sic) who would return it to Kampong Som”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.44.05-13.46.19 [“Vietnamese people were sent to Ou Chheu Teal harbour or port to board vehicles and afterwards they were transported to Kampong Som or Otres or Chamkar Doung.”].

1377 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.58.15-13.55.13 [“The majority of people were the Vietnamese who fled to a third country. This larger number were arrested and brought ashore to us to interrogate about what was happening in Vietnam and in Cambodia”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 09.51.04-09.52.48 [“On the issue of [...] sending the Vietnamese from the sea to S-21, [...] it was reported that Vietnamese or ‘Yuen’ were arrested -- had been arrested [...] And we were instructed to be highly vigilant because we could not know if they planned to fight or not”]; **D54/23** Pak Sok WRI, A25, 28-29 [“In general when we captured less than 20 people, they ordered us to kill them on the spot. If we arrested more than 20 people, we had to send them to Ou Chheu Teal [...] I witnessed first-hand two killing events, once when they killed Vietnamese at sea and only the motorboat was taken, and once when they killed Vietnamese refugees on Koh Poulo Wai Island [...] A28: Yes, it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers [...] A29: The orders were clear on

whether they were to be killed on the spot or sent ashore. If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”]. *Contra* **D54/98** Heang Ret WRI, A70, 75 [“Q: You said that there were two kinds of enemies, internal and the external. Do you think the Vietnamese fishermen were regarded as the external enemy and were taken to be killed? A70: I do not think so. The external enemy referred to the Vietnamese soldiers along the border. Regarding the seizures of the Vietnamese boats, to my knowledge, the Vietnamese fishermen were not regarded as the external enemy, but they had violated the territorial waters of Democratic Kampuchea [...] A75: [...] In late 1977, I attended an assembly in Phnom Penh in order to sum up the work. In the context of work of Division 164, I heard Meas Muth reporting about the Vietnamese boats that had entered Cambodian territorial waters. Son Sen said if those Vietnamese were refugees to Thailand, we should not arrest them and we should let them travel on”].

See **VIII.G.2. The Vietnamese as a Distinct Ethnic Group - Genocidal Policy Against the Vietnamese.**

For example Nop Hal clearly stated that the orders from the hierarchy were clear as regards Vietnamese refugees: **D54/79** Nop Hal WRI, A19-20 [“Q: If they were really refugees like you said, why did they capture them and did not let them pass by freely? A19: I do not know. As I told you, orders to capture boats and send them somewhere were given by higher level [...] Q: Did the forces stationed at each target have the right to free the seized boats after having found out that they were just refugees? A20: [...] In general, after receiving an order to capture any boat, we had to immediately follow orders, and we had no right to free seized captured boat[s]”]. See also **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.36.43-10.37.31 [“those ethnic Vietnamese people on the boat, the amputee was a soldier. Besides him were ordinary people [...] heading to Thailand, and they were arrested [...] and they were brought into the port”], 10.41.42-10.45.27 [“People were subsequently arrested and sent through the port. Among them were Thai fishermen and several ethnic Vietnamese who were travelling to Thailand. So at that time they were arrested and killed and they were not sent out to anywhere”]; **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.16.59-14.19.02 [“Regarding Vietnamese refugees, [...] when they were captured by my unit I would send them to my upper leadership level and whatever decision they made that was theirs”].

D234/2.1.92 Prum Sarat, T. 26 Jan 2016, 13.38.59-13.42.22 [“he [Son Sen] talked about the enemy from the west. It referred to Thailand. [...] they could penetrate into Cambodia and they could take the land along the border with Cambodia including the sea and the land”].

D1.3.8.3 DK Military Meeting Minutes, *Minutes of meeting of the military work in Kampong Som*, 3 Aug 1976, EN 00234012-13 [Meas Muth reporting to Pol Pot, Vorn Vet and Son Sen: “Thailand: There are canoes infiltrating to catch fish, which they came in previously in one or two but now in a fleet of 30 to 40 ships [...] We have managed to protect [ourselves] militarily; every time they infiltrated they appeared to confront [us]. With us taking military measures, they are afraid”].

D1.3.27.18 DK Military Meeting Minutes, *Minutes of Meetings of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195340-41, KH 00052390, FR 00195356 [“Enemy situation - Since early September there have been major changes. The Thais have increasingly sneaked into the fisheries in our waters. They come in convoys of fishing boats, up to 100 or 150. They mostly entered in the vicinity of Koh Kong and the Koh Tang gap. On 11 September, we captured one 50 horsepower boat”]. See also **D114/27.1.5** DK Military Meeting Minutes, *Minutes of Divisional and Regiment secretary-undersecretary of Logistics Meeting*, 19 Sep 1976, EN 00183971 [“More and more Thai came to fish in our maritime territory. They came in a line of about 100 to 150 fishing boats. They mostly came in the vicinity of Koh Kong and Koh Trang. On 11 September we caught one fishing boat with an 50 cc engine”].

D234/2.1.92 Prum Sarat, T. 26 Jan 2016, 13.38.59-13.42.22 [“he [Son Sen] talked about the enemy from the west. It referred to Thailand. [...] they could penetrate into Cambodia and they could take the land along the border with Cambodia including the sea and the land”], 13.57.40-13.59.51 [“when the Thai fishing boats entered territorial waters of Kampuchea, then the soldiers stationed on the island would take action either to chase them away or to stop them encroaching further into the territorial waters of Kampuchea as they actually violated the sovereignty of Kampuchea”].

D59/1.1.8a Prum Sarat DC-Cam Statement, EN 00974220-21, KH 00926397-98 [“There were usually big fishing boats from Thailand [...] I was instructed that when there were boats coming into our territorial waters we could seize them [...] Q: Did Ta Mut say so? A: Yes, he said so. This was our task that we had to do”].

D1.3.34.10 Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 [“On 12 August, we had [an armed] clash with the Thai fishermen. The fighting lasted nearly four hours at a distance of four or

five kilometers from Koh Kong. As a result, we captured one Thai fishing boat, while the people [in the boat] fell into the water”, confirmed in **D1.3.12.7** Report, *A summary of situations from 15 July to August 31 1976*, EN 00233963, KH 00021503, FR 01248460 [“August 12, 1976 [...] the Thai come to catch a fish in a large and destructive scale [...] There is a clash between us and them for a period of nearly four hours at a distance of 4 km in front of Koh Kong. We catch a fishing motor-driven boat. The persons on the boat fall into the sea [...] August 13-18. We catch two Thai motor-driven boats: 50-horse and 400-horse. They have 18 persons in total. Two of their three arms drop into the water. One rifle and a radio remain”]; **D1.3.34.28** Report from Sim to Division 164, 15 Sep 1977 [“For Thai boats which had entered further into our waters nearby our islands, I had led ships out and caught one boat with 300cc engine, and another with 400cc engine. These two boats were caught in the south of Koh Kong. On the boats there were 2 kolains, some fish and fuel. Some people on the boats managed to escape by dropping themselves into the water, and some other were killed [by our brothers]”]; **D1.3.34.23** Telegram 28 from Soeung to Angkar, 12 Aug 1977 [Annotation by Khieu Samphan: “Based on the oral report of Comrade Mut, yesterday we caught a boat (150 hp) in Koh Kong Krao on the southern part of the island. The place where Brother and I docked the ship. Arrested 4 Thais and 1 Khmer. Their responses are relevant. There were bamboo rafts on the boat. Under interrogation”]; **D1.3.12.18** Telegram 09 from Meas Muth to Brother 89 (Son Sen), 29 May 1977 [“From 20 until late May 1977, along the seawater boundary with Thailand, Thai fishing canoes protected by their military ships infiltrated very deep in our seawaters, coming in some places as [far] [...] as the southern part of Koh Kong and the surrounding of Kour Srov Island. Given this situation, we decided to have our brothers on duty there set out a boat down Koh Kong about 6 to 10 kilometers away, to scare off the Thai boats so they could not come in en masse too far. So, on 26 May at 11:45 am we go down to fulfilling our duty, then we met a fleet of some 50 to 60 Thai boats. When we approached them, many of them escaped, and we only captured one of their C400 boats, with nobody aboard, probably all the people on board getting off into water”]; **D1.3.12.20** Confidential Telephone Communication from Division 164 to Mut (Meas Muth), 12 Aug 1977 [“Yesterday, on August 11, 1977 when operating a patrol, we caught two machine boats: 350-horse and 175-horse. The latter carried five people with no fishing equipment. They were arrested 2 kilometers from Koh Kong. Later, we questioned them. [...] There is a Khmer among the five arrestees. The rest is Siamese. The boat consists of 15”]; **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 [“Enemy situations: On 5 September, we came across a small boat with 6 people on board: 5 Thai nationals and one Cambodian national. On the next morning, the boat came to Rong Sanloem Island. They said that they came to the west of Rong Sanloem Island in order to spy and find out what was on the island. This incident happened after a spy plane flew over our ship after we carried out practice at that location. On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped”]; **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meetings of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195340-41, KH 00052390, FR 00195356 [“Enemy situation - Since early September there have been major changes. The Thais have increasingly sneaked into the fisheries in our waters. They come in convoys of fishing boats, up to 100 or 150. They mostly entered in the vicinity of Koh Kong and the Koh Tang gap. On 11 September, we captured one 50 horsepower boat”]; **D1.3.12.2** Report from Meas Muth to Brother 89 (Son Sen), 6 Feb (year unknown: 1976, 1977 or 1978) [“On 4 February, [our] comrades at Pring Island fired at a Thai [...] fishing boat, about five kilometers west of the island. Then, the boat escaped west and disappeared. [...] At 6pm of 5 February, the State Fishery brought Thai [...] boat(s) in Rong Island, but brought the boat(s) out without yet knowing the reason”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.51.34-10.54.54 [“There were different treatments [...] I arrested three Thai boats [...] Those Thai people were on board, each boat consisted of 10 people, 15 people, 20 people. So those Thai fishermen were sent to Ream [to work]. The guard [in Ream] told me that they would not kill those Thai people, they would send these Thai people back to Thailand”]; **D2/9** Say Born WRI, A58 [“Q: In case the pursuit-vessel unit had arrested the Vietnamese and Thai fish[er] men, how did they do with them? Did they detain them or take them anywhere? [...] A58: [...] The group in charge of arresting people had their own wooden boat [...] This was the unit in charge of arresting the illegal border crossing and fish[er] men”]; **D54/82** Hing Uch WRI, A33 [“Q: When you said foreign boat, which nationality did you refer to? A33: Most of the time when we talked about foreign boats, we referred to Thai boats and Vietnamese boats”]; **D54/79** Nop Hal WRI, A24 [“I just knew that there were seizures of Thai and Vietnamese boats”]; **D114/126** Ou Kim WRI, A42 [Q: Were most of the Thai fishermen men or women? How old were they? A42: They were in their 30s, and all of them were men”]; **D114/57** Som

Saom WRI, A29 ["I also heard of a Thai boat being seized and taken to Koh Tang Island. Later on the people who were arrested on this Thai boat, along with their boat, were taken to Kampong Som"]; **D114/105** Koch Tuy WRI, A47, 157 ["Q: Did your unit ever seize any Thai or Vietnamese fishing boats? A47: My unit seized a Thai wooden boat Number 331 on Koh Yar Island. [...] We spotted it through the radar. We never seized any Vietnamese boats. [...] A157: I was in Division 164 when Ta Chhan was chairman. [...] When we took the fishermen to Kampong Som, Ta Chhan's group received them"]; **D54/52** Meas Voeun WRI, A19-20 ["Q: According to what you remember, how many Thai fishing boats did your unit capture when you were in Koh Kong? A19: According to my memory, we arrested around ten Thai fishermen, but we captured around 50 to 60 fishing boats. The number of fishermen captured was fewer than the number of fishing boats because whenever we approached the boats, the fishermen jumped off their fishing boats to escape capture. Q: According to your estimation, if you could have captured all of the fishermen on those 50 to 60 fishing boats, how many of them might there have been? A20: There might have been many; on average each fishing boat carried from three to four fishermen"]; **D54/11** Meu Ret WRI, A24 ["In 1976, I saw Thai fishermen they had captured and brought to Koh Ta Keav. One day when I was picking coconuts at Koh Ta Keav, I saw Thai fishermen there. A soldier there on the island told me that those people were Thai fishermen who had been captured. Those fishermen were not tied up; they were walking around there; some of them were picking coconuts and others were cooking rice. There were about 10 people including old and young, but there were no children or women. They wore multi-coloured clothes. I heard from a soldier there on the island there that the Thai Embassy would make contact to take those fishermen back to Thailand"]; **D54/79** Nop Hal WRI, A23 ["The Thais who were captured were all adults and fishermen: their boats contained many kinds of fishing tools"]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978573-74, KH 00955503 ["we often captured [fishing ships (see correction on EN 00978573)] and interrogated them. Q: Where did the ships you captured come from? A: They came from Thailand [...] Usually they were men. [...] [The arrested fishermen were] Thais and Yuons"]. See generally **D1.3.8.3** DK Military Meeting Minutes, *Minutes of meeting of the military work in Kampong Som*, 3 Aug 1976, EN 00234012-13 [Meas Muth reporting to Pol Pot, Vorn Vet and Son Sen: "Thailand: There are canoes infiltrating to catch fish, which they came in previously in one or two but now in a fleet of 30 to 40 ships [...] We have managed to protect [ourselves] militarily; every time they infiltrated they appeared to confront [us]. With us taking military measures, they are afraid"]].

1386 **D1.3.12.2** Report from Meas Muth to Brother 89 (Son Sen), 6 Feb (year unknown: 1976, 1977 or 1978) ["On 4 February, [our] comrades at Pring Island fired at a Thai [...] fishing boat, about five kilometers west of the island. Then, the boat escaped west and disappeared. [...] At 6pm of 5 February, the State Fishery brought Thai [...] boat(s) in Rong Island, but brought the boat(s) out without yet knowing the reason"].

1387 **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 ["On 12 August, we had [an armed] clash with the Thai fishermen. The fighting lasted nearly four hours at a distance of four or five kilometers from Koh Kong. As a result, we captured one Thai fishing boat, while the people [in the boat] fell into the water"], confirmed in **D1.3.12.7** Report, *A summary of situations from 15 July to August 31 1976*, EN 00233963, KH 00021503, FR 01248460 ["August 12, 1976 [...] the Thai come to catch a fish in a large and destructive scale [...] There is a clash between us and them for a period of nearly four hours at a distance of 4 km in front of Koh Kong. We catch a fishing motor-driven boat. The persons on the boat fall into the sea [...] August 13-18. We catch two Thai motor-driven boats: 50-horse and 400-horse. They have 18 persons in total. Two of their three arms drop into the water. One rifle and a radio remain"]; **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 ["Enemy situations: On 5 September, we came across a small boat with 6 people on board: 5 Thai nationals and one Cambodian national. On the next morning, the boat came to Rong Sanloem Island. They said that they came to the west of Rong Sanloem Island in order to spy and find out what was on the island. This incident happened after a spy plane flew over our ship after we carried out practice at that location. On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped"]; **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meetings of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195340-41, KH 00052390, FR 00195356 ["Enemy situation - Since early September there have been major changes. The Thais have increasingly sneaked into the fisheries in our waters. They come in convoys of fishing boats, up to 100 or 150. They mostly entered in the vicinity of Koh Kong and the Koh Tang gap. On 11 September, we captured one 50 horsepower boat"]; **D1.3.12.20** Confidential Telephone Communication from Division 164 to Mut (Meas Muth), 12 Aug 1977 ["Yesterday, on August 11, 1977 when operating a patrol, we caught two

machine boats: 350-horse and 175-horse. The latter carried five people with no fishing equipment. They were arrested 2 kilometers from Koh Kong. Later, we questioned them. [...] There is a Khmer among the five arrestees. The rest is Siamese. The boat consists of 15”].

1388 **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 [“Enemy situations: On 5 September, we came across a small boat with 6 people on board: 5 Thai nationals and one Cambodian national. On the next morning, the boat came to Rong Sanloem Island. They said that they came to the west of Rong Sanloem Island in order to spy and find out what was on the island. This incident happened after a spy plane flew over our ship after we carried out practice at that location. On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped”].

1389 **D1.3.34.28** Telegram 141 by Sim to Division 164, 15 Sep 1977, EN 00233654, KH 00161729 [“For Thai boats which had entered further into our waters nearby our islands, I had led ships out and caught one boat with 300cc engine, and another with 400cc engine. These two boats were caught in the south of Koh Kong. On the boats there were 2 kolains, some fish and fuel. Some people on the boats managed to escape by dropping themselves into the water, and some other were killed [by our brothers]”].

1390 **D1.3.12.20** Confidential Telephone Communication from Division 164 to Mut (Meas Muth), 12 Aug 1977 [“Yesterday, on August 11, 1977 when operating a patrol, we caught two machine boats: 350-horse and 175-horse. The latter carried five people with no fishing equipment. They were arrested 2 kilometers from Koh Kong. Later, we questioned them. [...] There is a Khmer among the five arrestees. The rest is Siamese. The boat consists of 15”]; **D1.3.34.23** Telegram 28 from Soeung to Angkar, 12 Aug 1977 [Annotation by Khieu Samphan: “Based on the oral report of Comrade Mut, yesterday we caught a boat (150 hp) in Koh Kong Krao on the southern part of the island. The place where Brother and I docked the ship. Arrested 4 Thais and 1 Khmer. Their responses are relevant. There were bamboo rafts on the boat. Under interrogation”].

1391 **D1.3.34.28** Report from Sim to Division 164, 15 Sep 1977 [“For Thai boats which had entered further into our waters nearby our islands, I had led ships out and caught one boat with 300cc engine, and another with 400cc engine. These two boats were caught in the south of Koh Kong. On the boats there were 2 kolains, some fish and fuel. Some people on the boats managed to escape by dropping themselves into the water, and some other were killed [by our brothers]”]; **D1.3.34.10** Telegram 44 from Mut (Meas Muth) to Brother 89 (Son Sen), 13 Aug 1976 [“On 12 August, we had [an armed] clash with the Thai fishermen. The fighting lasted nearly four hours at a distance of four or five kilometers from Koh Kong. As a result, we captured one Thai fishing boat, while the people [in the boat] fell into the water”], *confirmed in* **D1.3.12.7** Report, *A summary of situations from 15 July to August 31 1976*, EN 00233963, KH 00021503, FR 01248460 [“August 12, 1976 [...] the Thai come to catch a fish in a large and destructive scale [...] There is a clash between us and them for a period of nearly four hours at a distance of 4 km in front of Koh Kong. We catch a fishing motor-driven boat. The persons on the boat fall into the sea”]; **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 [“Enemy situations: On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped”]; **D1.3.12.18** Telegram 09 from Meas Muth to Brother 89 (Son Sen), 29 May 1977 [“From 20 until late May 1977, along the seawater boundary with Thailand, Thai fishing canoes protected by their military ships infiltrated very deep in our seawaters, coming in some places as [far] [...] as the southern part of Koh Kong and the surrounding of Kour Srov Island. Given this situation, we decided to have our brothers on duty there set out a boat down Koh Kong about 6 to 10 kilometers away, to scare off the Thai boats so they could not come in en masse too far. So, on 26 May at 11:45 am we go down to fulfilling our duty, then we met a fleet of some 50 to 60 Thai boats. When we approached them, many of them escaped, and we only captured one of their C400 boats, with nobody aboard, probably all the people on board getting off into water”]; **D54/52** Meas Voeun WRI, A19 [“According to my memory, we arrested around ten Thai fishermen, but we captured around 50 to 60 fishing boats. The number of fishermen captured was fewer than the number of fishing boats because whenever we approached the boats, the fishermen jumped off their fishing boats to escape capture”].

1392 **D114/126** Ou Kim WRI, A42 [“Q: Were most of the Thai fishermen men or women? How old were they? A42: They were in their 30s, and all of them were men”]; **D54/11** Meu Ret WRI, A24 [“In 1976, I saw Thai fishermen they had captured and brought to Koh Ta Keav. [...] There were about 10 people including old and

- young, but there were no children or women”]; **D54/79** Nop Hal WRI, A23 [“The Thais who were captured were all adults and fishermen: their boats contained many kinds of fishing tools”].
- 1393 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978573-74, KH 00955503-04 [“we often captured fishing ships (see correction on 00978573) and interrogated them. Q: Where did the ships you captured come from? A: They came from Thailand”].
- 1394 **D54/52** Meas Voeun WRI, A21-22 [“Q: What do you think was the fate of the fishermen who jumped in the water; could they have survived? A21: I think they might have had a good chance of surviving because when they jumped into the water, they often had life jackets with them. I say this because once two of my military personnel fell into the water, but I found them alive the next day since they had a wood plank to keep them afloat. Q: Did your unit try to rescue the Thai fishermen who jumped into the water, or did you abandon them? A22: We did not go to the rescue of those Thai fishermen; we just left them to their fates. But when our military personnel fell into the water, we searched in order to rescue them”].
- 1395 **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 09.34.20-09.37.10, 10.07.27-10.09.17, 09.48.58-09.51.07 [“After the capture of the Mayaguez, people or crew members on the Mayaguez were removed and sent to Kampong Som. [...] my unit was ordered to arrest people on the ship [the Mayaguez] in order to send them to Kampong Som by boat [...] The order for the capture of the Mayaguez came from the division to the regiment, then down to the battalion and to the soldiers on the ground. None of the battalion or regiment was autonomous. The order had to come from the upper echelon for the capture of that ship”].
- 1396 **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974222 [“Q: Regarding the intelligence agents coming to our islands, was there any instruction from the division? A: We were instructed to arrest them, and sent them to the S-21. Q: Did the division instruct you to send them to the S-21? A: Sure! I was instructed so”].
- 1397 **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963734, KH 00926467 [“we have captured some soldiers and thieves who stole our fish [...] They were from Thailand, Vietnam and Malaysia. Foreigners were rather many in number but I couldn’t know them all”].
- 1398 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.49.55-15.53.04 [“One day there was one Vietnam and one Kleng ethnicity on the island. [...] the soldiers who went out to arrest those people, we were not sure whether they arrested from within Cambodian maritime boundary or inside the Vietnam maritime boundary”]; **D54/87** Prum Sarat WRI, A127, 151 [“I saw one person of Khloeng ethnicity (Indian) and one Vietnamese [...] A151: I cannot elaborate on that. I saw foreigners at a house on Koh Tang Island, and when I asked the military there about their nationalities, they replied that they were Khloeng and Vietnamese. I think that both of them were on the way from India to Vietnam and eventually Thailand”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974209, KH 00926387 [“There were other nationalities; they were foreigners. We knew they were Vietnamese or Indians as they were travelling around [...] Perhaps, there were no white people but there were Indians”].
- 1399 **D54/100** Lay Bunhak WRI, A152-154, 156-157 [“These events really happened when those foreign fishermen did not agree to leave our waters, but the unit that arrested those foreign fishermen was not my unit, and I only heard about these events via radio. Q: When did you hear that via radio? A153: Before I went to Koh Rong Island. I heard about these events when I was on the mainland. Q: But this morning we asked you if you had ever heard via radio about people being arrested at sea, and you answered that you had never heard about that. Why did you answer like that? A154: I heard via radio about people being arrested [...] Q: In what circumstances did you hear about people being arrested? A156: When they arrested those people, they reported it to the division, so I heard them talking via the Type 25 transceivers used the same frequencies. Q: As far as you know, which unit arrested those people? A157: Generally, the soldiers who were guarding the islands arrested them and reported it”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974209, KH 00926387 [“those people did not come to our islands like the Vietnamese. They just had a cruise near our islands”]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963734, KH 00926467 [“Yes, because they entered deeper inside our territorial water [...] They were from Thailand, Vietnam and Malaysia. Foreigners were rather many in number”].
- 1400 See **VIII.D. S-21 Security Centre. Contra D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963734, KH 00926467-68 [Explains that after their capture, the illegal fishermen from Vietnam, Thailand and Malaysia were sent to the Division 164 headquarters and that some were released after some education while others were not released but put to work; he further explained that for major incidents, once transferred inland at Ream, groups of captives were taken away in trucks by a “red-arm” security unit coming from Phnom Penh]. See also **D54/100** Lay Bunhak WRI, A161-165 [the captives were taken to the division headquarters as

ordered by the division commander; some were released via their embassy; however Lay Bunhak does not provide the nationality of those who were released].

- 1401 *See* **VIII.D. S-21 Security Centre; D11/2.3** S-21 Confession of John Dawson Dewhirst, 13 Oct 1978, EN 00681102; **D114/230.1.1** OCIJ S-21 Prisoner List [identifying Nos 12719, 12720, 13021 and 13022 as Westerners]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.44.37-09.47.53 ["There were Vietnamese, American and Australian prisoners whom I used to see [...] In relation to American and Australian prisoners, I could recognize one foreign prisoner. The name was displayed on his denim shirt, David Scott"]; **D1.3.28.140** S-21 Prisoner List, EN 01236389, KH 00088752, FR 01187845 [identifying No. 1 as Christopher Delance and No. 2 as Michael Scott Deeds]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147526-27, KH 00146488 ["Q: Why did they arrest those foreigners? What had they come to do? A: They had entered Cambodian waters, and the naval unit arrested them and sent them to Nuon Chea [...] by foreigners, I meant Caucasians"]; **D1.3.33.4** Kaing Guek Eav alias Duch WRI, EN 00198221, KH 00197971 ["Q: Did the Minister of Foreign Affairs know about the arrest of the four foreigners whose bodies were burned? A: I do not think so. Son Sen sent two of them and Nuon Chea sent the two others. I know it was Division 164, headed by Meas Muth, that arrested them but I do not think that the Ministry of Foreign Affairs was informed thereof"]; **D54/22** WRIA, 17 Jul 2013, EN 00947622, KH 01002678 [Conversation with Sun Yiv about the detained yachtsmen: "The yachtsmen he described as being tall, white Caucasian, being rich, being tourists [...] He remembered he saw only 2 but was told there were 3. They were not beaten or tied up. At that time they appeared in normal condition"]; **D114/58** Som Saom WRI, A2-4 ["Q: Do you know of other cases of arrests of the Westerners on boats? A2: I had heard of a sailboat being captured, but I do not want to tell you about this because it was just what I had heard from others [...] A3: At that time, there was a Navy Port at Au Chhoeur Teal Beach. The event took place when I went to study at Kampong Som. I heard the information from Mr. Moeun, who was the overall chief of the ships and vessels at Au Chhoeur Teal Beach [...] A4: Moeun said that a sailboat had been captured at sea and sent to Au Chhoeur Teal Beach. I am not sure where the sailboat was from"]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978577, KH 00955508 ["I saw them arresting one American [...] He wore casual clothes [...] He sometimes wore a vest [...] His hair was red [...] he said he was 25 years old. Not older than that [...] His boat was like a concrete house. Its mast was as tall as a coconut tree [...] They captured him from the Koh Poulo Wai Island [...] In early [19]76"]; **D4.1.378** Kung Phai WRI, EN 00163633-34 ["Then I took rice to one of the three, and saw Duch interrogating one foreign prisoner, a man with long curly red hair down to his shoulders, white skin, with chest hair, and wearing shorts. Before Duch interrogated this person, he was wearing a short-sleeved camouflage T-shirt"]; **D114/301.1** Photograph of David Lloyd Scott, Australian, EN P 00005293; **D11/2.3** S-21 Confession of John Dawson Dewhirst, 13 Oct 1978, EN 00681102; **D114/301.2** Photograph of Unidentified Westerner, EN P 00005294; **D114/301.3** Photograph of Ronald Keith Dean, EN P 00525273.
- 1402 **D1.3.28.140** S-21 Prisoner List, EN 01236389, KH 00088752, FR 01187845 [identifying No. 1 as Christopher Delance and No. 2 as Michael Scott Deeds]; **D37** Robert Hamill WRI, EN 00791866-67, KH 00945764 ["I have met Meas Muth at his home in 2010....I asked him what happened to foreigners who were arrested at sea of the coast. He answered that they should not be beaten and should be transferred to S-21"]; **D11/2** Robert Hamill CPA, EN 00681116, KH 00710120 [detailing that, if Stuart Glass was shot and died near Koh Taing, Kerry George Hamill, the skipper and other co-owner, and John Dewhirst, paying passengers, were arrested and ended up in S-21]; **D11/4.2.1** Timothy Scott Deeds CPA, EN 00741656.
- 1403 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, [33.32-34:46] ["I was not at Kampong Som; in February 1978 I had left Kampong Som already [...] I was assigned to work in Kratie province near the Lao border"].
- 1404 *See* **III. Meas Muth's Role and Responsibility.**
- 1405 *See* **III. Meas Muth's Role and Responsibility.** *See also* **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963745 ["[Ta Muth] was the leader there until his re-assignment in late 1978. Later he was promoted as deputy commander-in-chief. He worked [...] for a few months and he returned to our unit in 1979"].
- 1406 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 34:57-35:26 ["Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was reassigned for another mission"]; **D54/100** Lay Bunhak WRI, A96 [Speaking of late 1978: "Meas Muth was moved to the General Staff, so he ordered all of [Division 164] work from the upper echelon through Tim Seng; then Tim Seng controlled the work and passed on those orders"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963745 ["[Ta Muth] was the leader there until his re-assignment in late 1978. Later he was promoted as deputy commander-in-chief. He worked [...] for a few months and he returned to our unit in 1979. [...]

Division deputy commander [...] Tim Seng [replaced Meas Muth] [...] received military assignment from Ta Muth. Q: Alright. Did he continue to contact Ta Muth for any other businesses? Bunhak: Yes. The cadres would report on an order from the upper echelon”].

1407 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 43:52-44:28 [“We kept in Bamboo Island – Kampong Say [...] But Westerners, they would not be kept as long as those from the neighbouring countries, at least we kept them for two nights, before people from Phnom Penh come to pick them up”].

1408 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 44:30-46:09 [“This is my opinion, my personal point of view. The Khmer Rouge leaders, top Khmer Rouge leaders, Pol Pot, Khieu Samphan, Ieng Sary were educated in the West in France, in Western. That is why they deal with Westerners quick like that, deal with Westerners quicker than other people, because they were afraid, Pol Pot, Khieu Samphan were afraid people they know. That is why they seem to care more than about Vietnamese or Thai people”].

1409 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 46:10-49:27 [“It was an open, small building. But the Khmer Rouge provided them cooks and food so they can cook and provide for themselves and feed themselves. The Khmer Rouge did not cook for them. The Khmer Rouge sent cooks or rice to they can feed themselves during that time, within the detention period [...] the building was like this, a small building, open, no wall. But it was covered by thatch, but no walls. There was no bed too, they slept on the hammock made with a fishing net”].

1410 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 48:28-49:17 [“There was no mistreatment, even interrogation because no one could speak English. They were free, they were free to move around, to a coconut tree, pick coconuts”].

1411 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 49:18-50:33 [“For these captured foreigners, these people would be dealt with through the ministry of foreign affairs [...] With the Westerners they would send a Khmer Rouge official who can speak English or French to pick them up [...] from Phnom Penh, foreign affairs [...] The truck was waiting for them at the Ochheuteal Beach. They land, get on a car and go to Phnom Penh”].

1412 **D54/16/1R** Audio recording of an interview with Meas Muth by David Kattenburg, Apr 2009, 56:20-57:27 [Explains that Dim, the military commander would have been the commander for that operation].

1413 **D234/2.1.55** S-21 Confession of Hoeng Doeun alias Dim (Doem), 4 May 1977, EN 00224086; **D1.3.18.1** S-21 Confession of Hoeng Doeun alias Dim (Doem), 15 May 1977, EN 00187721; **D1.3.18.2** S-21 Confession of Hoeng Doeun alias Dim (Doem), 1 Aug 1977; **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 1624 as Hoeng Doeun (Hoeng Doeun) alias Dim, who entered S-21 on 21 April 1977]; **D1.3.28.49** S-21 Prisoner List, EN 00937118, KH 00082795 [identifying No. 18 as Hing Doeun alias Dim, Deputy Secretary of Division 164]; **D1.3.28.27** S-21 Prisoner List, EN 01215100, KH 00088754 [identifying No.2 as Oeng Doeun alias Dim]; **D4.1.950** OCP Revised S-21 Prisoner List [identifying No. 2561 as Hoeung Doeun alias Dim, who was executed on 8 December 1977].

1414 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.48.29-13.51.26 [“when there was a capture of each vessel, there was [an] order from the top that the arrested people needed to be sent [...] on [to] land, but if the number of arrested people were just only a few people, and then the order was that they needed to be killed on the sea, and only the vessels were brought in for use in units”].

1415 **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 11.02.28-11.04.02 [“the patrol boats [that were] stationed at various islands and their duty was to capture any boat encroaching the territorial waters [...] These two boats were tasked to patrol and seize any encroaching boat”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 10.07.27-10.09.17 [“And at that time, there was no proper regulations for the soldiers on the ground to capture the ship because the war just ended, there was no proper rules or regulations, and we had to be vigilant and all ships, all boats within the territorial waters of Cambodia had to be captured. And that was the order from the upper echelon, and we at the lower chain of command had to implement those orders. And that was our role, to capture those ships or boats. Otherwise, it would be against the policy”], 11.29.04-11.31.20 [“We were assigned to guard the territorial waters including Tang Island, the Poulo Wai Chas and Poulo Wai Thmei Islands. Our duties were to guard the areas and we would arrest anyone who trespassed the area. It was the resolute order”]; **D234/2.1.95** Meas Voem, T. 2 Feb 2016, 14.06.06-14.08.07 [“In a case that there is a Thai or ‘Yuen’ boat encroached on our waters we would collaborate and cooperate to seize that boat”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 10.55.25-10.58.17 [“they were Vietnamese and they tried to cross the Southeastern part of the maritime boundary, east of that Tang Island. and they were arrested”], 15.49.55-15.53.04 [“Vietnamese

- troops or Vietnamese boats, which entered Cambodian Territorial Waters, were arrested”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 11.02.28-11.04.02 [“the patrol boats stationed at various islands and their duty was to capture any boat encroaching the territorial waters”]; **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.06.06-14.08.07 [“In a case that there is a Thai or ‘Yuen’ boat encroached on our waters we would collaborate and cooperate to seize that boat”].
- 1416 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.49.55-15.53.04 [“One day there was one Vietnam and one Kleng ethnicity on the island. [...] the soldiers who went out to arrest those people, we were not sure whether they arrested from within Cambodian maritime boundary or inside the Vietnam maritime boundary”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 09.32.54-09.34.320 [“the Mayaguez which was seized from the international waterway”], 14.45.02-14.46.20 [“they [the soldiers in the unit] were not aware of, you know, international waters or they were not aware of laws and regulations at sea”].
- 1417 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.10.55-14.14.10 [“For a Vietnamese boat, [...] we would capture that boat and send it through a chain of command to the upper level. For instance if a boat was captured, that boat would be sent to Kampong Som as the force from Division 64 (sic) also was with us. So when a Vietnamese boat was captured, then we would give or hand the boat to the forces from Division 64 (sic) who would return it to Kampong Som”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.44.05-13.46.19 [“Vietnamese people were sent to Ou Chheu Teal harbour or port to board vehicles and afterwards they were transported to Kampong Som or Otres or Chamkar Doung”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.37.31-10.39.57 [“When people were brought in, usually, they were taken out by truck immediately to Kampong Som town”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 11.07.13-11.08.54 [“Regarding the refugees I had sent to the headquarter in Kampong Som, I did send them to the headquarter but, afterward, I did know what happened to those people and what steps were taken”]; **D98/3.1.178** Meas Voeun, T. 4 Oct 2012, 10.06.41-10.11.41 [“There was no order, but as we spotted them, we brought them back and we also made a report to the division, and the division then instructed us to bring them back to the rear”], 10.20.29-10.23.23 [“there was an order to such a degree by the division. [...] When the boat was captured, we would keep the boat, and for those who were on the boat, they would be sent to Kampong Som”], 10.26.02-10.28.18 [“We captured those boats as they encroached our territory waters. So we needed to capture them and question them. [...] When we captured the boat and the people on the boat, I reported it to the division. But because of the difficulty in communication, they were sent further to Kampong Som”].
- 1418 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.11.47-10.36.43 [“those people [ethnic Vietnamese people] were arrested and they brought in and those captured people were beaten before they were transported out by truck of Ou Chheu Teal”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 11.16.47-11.20.10 [“The order was that if Vietnamese people, or other races were arrested, I should make the report to him, after which he would forward the report up the line based on the hierarchical order”]; **D98/3.1.178** Meas Voeun, T. 4 Oct 2012, 10.23.23-10.26.02 [“Occasionally, we saw Vietnamese boats. Sometimes we spotted once a month. Sometimes we captured it, sometimes they fled. [...] They were Vietnamese people. There were women, there were children, and there were men. [...] They were also sent to Kampong Som”].
- 1419 **D54/23** Pak Sok WRI, A36-38 [“I once transported persons captured by my ship and brought them to the Ou Chheu Teal Port. They totalled 12 to 13. I still remember that amongst them was a man with an amputated hand. I also remember that those captured were brought from the sea to the mainland in a closed compartment of a motorboat. My motorboat contained three to four closed compartments. We did not allow them to sit on top because we wanted to prevent them from resisting us. The men were tied up, but the women and children were not. The enclosed compartments were very hot; I saw them convulsing. I realised that if we kept them in those compartments a moment longer, they would die for sure. Q: Why were those Vietnamese people arrested? A37: Those Vietnamese were refugees who were travelling to Thailand, and they travelled through our waters between Koh Tang Island and Koh Poulou Wai Island. Q: When they were captured, were they armed, or did they try to resist? A38: They were not armed and had no intention to resist”].
- 1420 **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [“In Kep at 8 pm of March 19, 1978 we fired at a Vietnamese 22 CC motor-driven boat one km south of Koh Khyang Island. It sank as a consequence. We suffered no damages [...] At Koh Tang island, on March 20, 1978 at 2.30 hours, our 800-cc motor-driven boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people-both young and old, male and female. When we tied them up, the smaller motor-driven boat was shaky and plunged. As a result, two people fell into the water and [have not] been found. The rest have been brought to the main land”].

- 1421 **D54/25** Pak Sok WRI, A22 ["I saw another event when I captured and transported 13 Vietnamese refugees to Ou Chheu Teal [...] When the Vietnamese refugees were brought out of the boat to get on the waiting lorry, the soldiers kicked and beat them severely when they were on their way to get on the lorry"]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.53.50-13.54.59 ["Thai or Vietnamese people were sent to Ream or Ou Chheu Teal and torture also happened on -- at the port"].
- 1422 **D54/34** Ing Chhon WRI, A19 ["As for my ship, we never captured people alive whether they were Thais or Vietnamese, except for that one event in which we captured 23 Vietnamese alive. After I reviewed the events last night, I wish to make a correction to the number of the captured people I mentioned in my earlier interview with the Documentation Center of Cambodia. Thirty-three was not the number of the arrested people: this referred to the horsepower of the boat we captured; and the number of the captured people was 23, which included and old Vietnamese grandmother, a Vietnamese widow, nine Vietnamese boys, nine Vietnamese girls, and a Khmer couple with their seven year old son. Those Vietnamese boys and girls were engaged couples according the boat's pilot. The captain was a Khmer born in Kampot, but had gone to live in Vietnam"].
- 1423 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978573-74 ["Q: Where did the ships you captured come from? A: They came from Thailand. [...] we ordered them to follow us to the shore and we tied them up when we arrived at the shore [...] Q: You did not tie them up until they arrived at the Island? A: Yes, we tied them up and then sent them away, but we kept the ship. Q: How did you tie them? Did you tie their arms backward? A: Yes, and we tied them to each other. Q: Tied them to each other? A: Yes"]; **D2/17** In Saroeun alias In Ven WRI, A19-20 ["At that time there were 6 people tied up [...] all 6 of them were also blindfolded. Their both arms were tied up to the back in the parrot wings style"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 002175661-62 ["They were tied up when taken into the building"]; **D54/79** Nop Hal WRI, A23 ["The adults were arrested by having their arms tied behind their backs"]; **D54/8** Dol Song WRI, A41, 45 ["I saw Thai people who had been arrested and brought to an island. [...] Q: How did you know that they were fishermen and not enemy soldiers? A45: Because it was a fishing boat. Besides, our soldiers on the island said they (those Thai people) were fishermen"]. See also **D2/9** Say Born WRI, A58 ["Q: In case the pursuit-vessel unit had arrested the Vietnamese and Thai fish[er] men, how did they do with them? Did they detain them or take them anywhere? [...] A58: [...] The group in charge of arresting people had their own wooden boat [...] This was the unit in charge of arresting the illegal border crossing and fish[er] men"]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978573-74, KH 00955503 ["we often captured [fishing ships (see correction on EN 00978573)] and interrogated them [...] Usually they were men. [...] [The arrested fishermen were] Thais and Yuons"]; **D54/23** Pak Sok WRI, A28 ["it was imperative to report precisely what we captured, for example, whether they were [...] Thai fishermen"]; **D54/25** Pak Sok WRI, A11-16 ["Q: Based on your experience and knowledge in your unit and other units of the navy between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? Thousands. They included [...] Vietnamese fishermen [...] who were arrested and killed on the sea, on the islands, or on the mainland [...] A12: Another event was the seizure of a Thai fishing boat with 400-horsepower engine with 20 Thai fishermen on board. Another event involved a capture of a Thai fishing boat with 1800- horsepower engine, with 30 fishermen aboard [...] A13: The seizure of the Thai 400-horsepower engine fishing boat was in June 1976. It took place 12 kilometres west about to enter international waters. All the Thai fishermen on the boat were sent to Ream. I encountered all of those Thai fishermen on the island of Koh Ta Kiev about six to seven months later. Q14: I heard from the guards on the island that all the Thai fishermen would be sent back to their home country, but I do not know if that was true or not [...] A15: The capture of the 1800-horsepower Thai fishing boat took place at the end of 1976. It took place approximately 30 kilometres southwest of the island of Koh Poulo Wai Chas [...] A16: [Those Thai fishermen] were then sent to Ream and were later sent to work on the island of Koh Ta Kiev with the ones captured previously; I encountered them during my work there"].
- 1424 **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 ["Enemy situations: On 5 September, we came across a small boat with 6 people on board: 5 Thai nationals and one Cambodian national. On the next morning, the boat came to Rong Sanloem Island. They said that they came to the west of Rong Sanloem Island in order to spy and find out what was on the island. This incident happened after a spy plane flew over our ship after we carried out practice at that location. On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped"].

- 1425 **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 ["Enemy situations: On 5 September, we came across a small boat with 6 people on board: 5 Thai nationals and one Cambodian national. On the next morning, the boat came to Rong Sanloem Island. They said that they came to the west of Rong Sanloem Island in order to spy and find out what was on the island. This incident happened after a spy plane flew over our ship after we carried out practice at that location. On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped"].
- 1426 **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008, KH 00936737, FR 00970395 ["Enemy situations: On 5 September, we came across a small boat with 6 people on board: 5 Thai nationals and one Cambodian national. On the next morning, the boat came to Rong Sanloem Island. They said that they came to the west of Rong Sanloem Island in order to spy and find out what was on the island. This incident happened after a spy plane flew over our ship after we carried out practice at that location. On 2 September, ten Thai fishing boats came into the areas off Koh Kong and Koh Sdech Islands. We captured one 400 cc fishing boat with 9 crew members on board, but it was reported that 7 other crew members had jumped into the sea and escaped"].
- 1427 **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978, EN 00233649, KH 00020982, FR 00623220 ["2. At Koh Wai island, on March 20, 1978 at 4 am, our brothers and sisters saw a Siamese motor-driven boat (250 cc capacity) 3 km northwest of Koh Chass island. We caught the boat with 21 people at 5 am"].
- 1428 **D54/8** Dol Song WRI, A41-49 ["Q: In your interview with ADHOC, you mentioned that you saw them kill 30 Thai people on a boat. Can you please describe that event? A41: This event happened while I was training with the navy. I saw Thai people who had been arrested and brought to an island. Q: In which year was that? A42: In 1977. Q: To which island? A43: To Poulo Wai Island. Q: Who were those Thai, can you tell us? A44: They were fishermen, and they were all adults. I also saw a fishing boat there. Q: How did you know that they were fishermen and not enemy soldiers? A45: Because it was a fishing boat. Besides, our soldiers on the island said they (those Thai people) were fishermen. Q: Can you describe the condition of those people when they were being arrested? A46: Their arms were tied. Soldiers on the island said they would kill those Thai people. Q: Which unit were the soldiers who arrested the fishermen from? A47: They were the ground forces of Division 164 who were stationed on the island. I did not know which regiment they were from. Q: Do you know if any of the soldiers who arrested the fishermen are still alive? A48: No, I do not"].
- 1429 **D54/11** Meu Ret WRI, A24 ["In 1976, I saw Thai fishermen they had captured and brought to Koh Ta Keav. One day when I was picking coconuts at Koh Ta Keav, I saw Thai fishermen there. A soldier there on the island told me that those people were Thai fishermen who had been captured. Those fishermen were not tied up; they were walking around there; some of them were picking coconuts and others were cooking rice. There were about 10 people including old and young, but there were no children or women. They wore multi-coloured clothes. I heard from a soldier there on the island there that the Thai Embassy would make contact to take those fishermen back to Thailand"].
- 1430 **D54/18** Nou Saroeun alias Mea WRI, A35-36 ["Once I saw the Khmer Rouge soldiers impound two large fishing boats. They sent the fishermen to the durian orchard. They came back with a truck full of fish taken from the fishing boats, and they gave the fish to the children's unit. I remember that moment clearly because that day that my unit ate a lot of fish. Q: How many fishermen did they walk to the durian orchard? A36: I remember about 25 Thai fishermen were captured from two Hakrin boats. The two boats had symbols in the Thai language. The Khmer Rouge soldiers patrolling the sea had captured them"].
- 1431 **D114/105** Koch Tuy WRI, A47, 48, 52, 54, 57 ["Q: Did your unit ever seize any Thai or Vietnamese fishing boats? A47: My unit seized a Thai wooden boat Number 331 on Koh Yar Island. [...] We spotted it through the radar [...] A48: At the time, we were patrolling the sea. During the third shift of the patrol, at about 8.00 p.m. or 9.00 p.m. upon the arrival of my ship, we spotted the Thai boat through the radar. We then set off by ship and seized the boat, and then sent the people on board to Kampong Som. We took the boat to Koh Tang Island. It took three or four days to empty the boat out of its fish and belongings and then we brought it to Division 4 in Kampong Som straightaway. There were many people on board the boat, but I do not remember how many there were. [...] Q: When you spotted the Thai boat, what was it doing? A52: It was fishing. [...] Q: When you managed to seize the boat, did you report this to the upper echelon? A54: Chab Leap reported to the Battalion Commander on the seizure of the Thai boat. The Battalion Commander then ordered the boat to be taken to Kampong Som. In Kampong Som, Ta Chhan was the division commander. Then, we took the

seized boat to the base of the battalion on Koh Tang Island. After removing all the fish, and belongings from the boat, we brought it to the division, and then I do not know to which location the boat was taken [...] Q: Did the Thais wear civilian clothes or military uniforms? A57: They wore ordinary civilian clothes. They actually wore only T-shirts. They did not wear shirts with buttons because they feared that the fishing gear or other objects might get caught in the buttons”].

1432 **D114/105** Koch Tuy WRI, A55-56 [“Q: When you brought the boat to Kampong Som, who was at the port to receive it? A55: The division’s messengers were there. I do not know how many. Q: Were they soldiers? A56: Yes, they were. They were messengers of the division. They carried guns”].

1433 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.51.34-10.54.54 [“There were different treatments [...] I arrested three Thai boats [...] Those Thai people were on board, each boat consisted of 10 people, 15 people, 20 people. So those Thai fishermen were sent to Ream [to work]. The guard [in Ream] told me that they would not kill those Thai people, they would send these Thai people back to Thailand”]; **D54/98** Heang Ret WRI, A80 [“Q: Where were the captured Thai fishermen sent? A80: I do not know where they were sent to be detained, but later, there was a negotiation between Cambodian and Thai authorities in early 1977, and there was an exchange of those Thai fishermen on Koh Sdach Island”]; **D114/12** Neak Yoeun WRI, A36 [“Q: You talked about the capture of an aluminium boat [...] You also said that Ta Mut was there too, but that they did not talk to each other because he could not speak English. That was why they sent Phal to help with interpreting. Can you describe that incident? A36: It was the capture of a big cargo ship on which there was different cargo, including coal. A PCF ship attempted to capture that ship [...] To help the PCF ship, a defence ship -- not my ship -- was dispatched to capture the large ship [...] After that, the division issued an order for my ship to help. When it was flanked on both sides by two defence ships, the big ship stopped. Then, *Ta Mut* arrived with another PCF boat, and he boarded the big ship. *Ta Mut* spoke on the radio commanding my defence ship not approach that ship. So we stopped far from that cargo ship. Finally at around 3 p.m. the big ship left that place, and the PCF boats and my ship also returned to our places. I did not know how much that ship paid the division”]; **D114/13** Neal Yoeun WRI, A1 [“This was my assumption. Based on my experience and observations, when they captured a [Thai] fishing boat, there was an exchange of various goods for the release of fishermen. So I thought the same thing happened with that large cargo ship”].

1434 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978 [“We failed to release Thai people as schedule[d] because some of them had wrong names compared with what the receivers had. The mistakes were not serious as they were basically just misspelling at the end of the words. We could not contact with each other to ask some advice because the radio did not work. Because of the Telegram in comrade Lonh’ section sending the messages slowly and sometimes the messages lost, the handing over [of] the Thai[s] ha[d] to [be] delay[ed] until 31.3.78 at 20.00. The receivers are chief of Khlang Yai District, and the other one in a member of people rescuing team. The Thai receivers gave 3 cartons of cigarettes [3 cartons of cigarettes equal to 30 packages of cigarettes] and 1 bottle of oil palm to our comrades”]; **D54/53** Meas Voeun WRI, A22 [“Q: We would like to show you document D1.3.30.25, English EN: 00143507-00143508 and Khmer EN: 00017026. Please read this document with the assistance of the interpreter. Reference the event that occurred on Koh Kong described in point 2 of this telegram, were you there at the time? Can you recall this event? A22: I learned about it because I knew the person in charge of exchanging the captured Thai fishermen. His name was Launh. He was in charge of the fishing unit. Launh was selected by the Centre from my Division 1 to be in charge of the Centre’s fishing unit”].

1435 **D54/32** Some Ny WRI, A23-24, 26 [“Q: Did you ever see Thai and Vietnamese prisoners at Wat Enta Nhien Pagoda? A23: No, I did not, but I saw 40 Thai fishermen there in Thma Bang. On the map, the site where those Thai fishermen were detained was called Pory Barang, which was an ex-stewed fish refinery. It was in Thma Sa Commune, Thma Bang District, Koh Kong Province. I saw those Thai fishermen at the end of 1975 and early 1976 whilst I was there for three months to help make *pruol* to catch fish in the sea. Q: Who were those Thai fishermen? A24: They were illegal fishermen who entered to fish in Cambodian maritime territory [...] Q: To your knowledge, where were those Thai fishermen sent to? A26: When I asked the sector military there, I was told that those Thai fishermen were not harmed, and they were provided with adequate food rations until a solution between the Cambodian and Thai governments was made”].

1436 **D114/24** Ou Dav WRI, A94, 105-106, 109-113 [“Q: In which month did you capture the first boat? A94: It was probably in late June [...] Q: How did they reply at that time? A105: They ordered us to take the captured boats to Kampong Som. Q: How long did you have to wait for their order? A106: We waited for around half an hour [...] Q: Where did you take the people who had captured on the fishing boats? A109: Six

or seven people were detained in a cool lower compartment of the boat before we sailed the boat to Kampong Som. Q: When you arrived in Kampong Som, where exactly did you go? A110: I handed over the boat and the people captured to those waiting to receive them at the port. Q: Who was waiting to receive custody? A111: Meas Muth's deputy commanders and a number of soldiers were waiting to take custody. Q: How did you know that the person was Meas Muth's deputy commander? A112: I knew because that person was close to Meas Muth. Q: How did you know that person was close to Meas Muth? A113: I saw him attending meetings with Meas Muth. In that group, there were three people including Meas Muth and two other people whose names I did not know"].

1437 **D114/24** Ou Dav WRI, A105-107, 128-129, 131 ["Q: How did they reply at that time? A105: They ordered us to take the captured boats to Kampong Som. Q: How long did you have to wait for their order? A106: We waited for around half an hour. We were ordered not to kill the people on the fishing boats, but to keep them alive in order to exchange them for gasoline from the boat owners. Q: Regarding the order to keep the people alive to be exchanged for gasoline, from whom did you receive that information? A107: After I sent the fishing boat and the people to Kampong Som, the battalion commander told me that those people and the fishing boats were to be exchanged for gasoline [...]. Q: Were the people who were captured fishermen or soldiers? A128: They were fishermen. Q: Did all of them come from Thailand? A129: Most of them were Thais. The rest were hired hands working for the Thais [...]. Q: Did you hear anything about those who were arrested? A131: I heard that those prisoners were exchanged for gasoline"].

1438 **D114/24** Ou Dav WRI, A132-134, 150-152 ["Q: We would like to ask you about the second capture. When did the second boat capture occur? A132: On a morning in late 1975 (I do not remember the month) [...]. Q: What happened next? A133: After we captured the boats, we sent them to Kampong Som Port. Later there were clashes with Thailand. Q: How many fishing boats were captured? A134: Two big fishing boats [...]. Q: Were they fishermen or soldiers? A150: They were fishermen from Thailand [...]. Q: Did they have weapons? A151: Yes, they did. On one boat there were two HKs rifles and one pistol. Q: What uniforms did they wear? A152: Some wore civilian clothes and some wore Thai military uniforms"].

1439 **D114/24** Ou Dav WRI, A146-147 ["Q: After you captured the fishing boat, did you communicate via radio? A146: After capturing the fishing boat, I reported via radio to the battalion commander, who told me to bring the fishing boat in. Q: Did the battalion commander report to the upper echelons, or did he reply immediately? A147: I received the replied order immediately to take the boat to Kampong Som [...]. Q: Were they fishermen or soldiers? A150: They were fishermen from Thailand [...]. Q: Did they have weapons? A151: Yes, they did. On one boat there were two HKs rifles and one pistol. Q: What uniforms did they wear? A152: Some wore civilian clothes and some wore Thai military uniforms"].

1440 **D114/24** Ou Dav WRI, A153 ["Q: When you arrived at Kampong Som Port, who was waiting to receive the captured boat and crew? A153: The same cadres, the deputy commanders, and their soldiers"].

1441 **D114/24** Ou Dav WRI, A157-158 ["Q: Did you hear about what happened to the fishing boats and those prisoners? A157: I only heard that the captured prisoners were kept to be exchanged for gasoline with the owners of the fishing boats. If the fishing boat owners did not make the exchange, those fishing boats would be regarded as Angkar's property. Q: Did you hear about what happened to those prisoners? A158: I only heard what I have told you"].

1442 **D54/100** Lay Bunhak WRI, A152-155 ["These events really happened when those foreign fishermen did not agree to leave our waters, but the unit that arrested those foreign fishermen was not my unit, and I only heard about these events via radio. Q: When did you hear that via radio? A153: Before I went to Koh Rong Island. I heard about these events when I was on the mainland. Q: But this morning we asked you if you had ever heard via radio about people being arrested at sea, and you answered that you had never heard about that. Why did you answer like that? A154: I heard via radio about people being arrested [...]. Q: Did you hear via radio about people being arrested frequently? A155: Not often. I heard via radio about people being arrested every 4 to 5 months"].

1443 **D54/100** Lay Bunhak WRI, A157 ["Q: As far as you know, which unit arrested those people? A157: Generally, the soldiers who were guarding the islands arrested them and reported it"].

1444 **D54/100** Lay Bunhak WRI, A160-162 ["Q: In your interview with the Documentation Center of Cambodia, you said a number of the arrested were sent to the headquarters and others were freed. How do you know this? A160: I learned that via radio, when they talked about it by radio. At that time, they used radios. Radios were the most important. Q: Who reported those matters? A 161: In fact, they related to the division. If their division commander gave the order to bring those people, they would bring them. Q: What do you know about the people who were freed? A162: I do not know anything.], A165 ["Q: In your interview with the

- Documentation Center of Cambodia, you said those captured were sent to Phnom Penh and then sent to the embassy. Can you clarify this and how you know? A165: I knew about that because of a collective meeting of the unit. They told us that diplomats in the embassy had negotiated with our government, and those captured had been freed. That meeting was held once a month”].
- 1445 **D54/100** Lay Bunhak WRI, A160-162, 165 [“Q: In your interview with the Documentation Center of Cambodia, you said a number of the arrested were sent to the headquarters and others were freed. How do you know this? A160: I learned that via radio, when they talked about it by radio. At that time, they used radios. Radios were the most important. Q: Who reported those matters? A 161: In fact, they related to the division. If their division commander gave the order to bring those people, they would bring them. Q: What do you know about the people who were freed? A162: I do not know anything. [...] Q: In your interview with the Documentation Center of Cambodia, you said those captured were sent to Phnom Penh and then sent to the embassy. Can you clarify this and how you know? A165: I knew about that because of a collective meeting of the unit. They told us that diplomats in the embassy had negotiated with our government, and those captured had been freed. That meeting was held once a month”].
- 1446 **D54/78.1** Nop Hal DC-Cam Statement, EN 00968388, KH 00926615.
- 1447 **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [“In Kep at 8 pm of March 19, 1978 we fired at a Vietnamese 22 CC motor-driven boat one km south of Koh Khyang Island. It sank as a consequence. We suffered no damages”].
- 1448 **D54/25** Pak Sok WRI, A22 [“ I saw another event when I captured and transported 13 Vietnamese refugees to Ou Chheu Teal. At the time a baby cried so loud that it disturbed a soldier nearby, so that soldier grasped the crying baby from the mother and threw it into the sea”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.36.38-14.38.16 [“The soldiers went up onto the ship or boat of the Vietnamese people and at that time the baby was crying so loudly and they threw the baby into the sea”].
- 1449 **D114/31** Moul Chhin WRI, A73-75 [“Q: When you stationed on that island, did you see them capture Vietnamese boats? A73: Yes, Vietnamese boats trying to escape to Thailand. Each time they captured three to five small boats with 15-horsepower to 25-horsepower engines. It was not hard to capture them, and it was also easy to circle and sink them. Q: Did they capture the people on the Vietnamese boats? A74: The boats or the people on board were rarely brought in: they just fired at and sank those boats right there at sea. Q: What types of people were on the Vietnamese boats? A75: There were men, women and children, and families. Sometimes there were five to twenty people [...] Q: How did they kill the Vietnamese nationals? A81: Some were beaten to death and thrown into the sea. Others were kicked into the water. Some who were good swimmers were shot dead too [...] Q: Did you see this through binoculars? A83: Yes, I saw these events through binoculars. They drove the boat just about 200 metres from the dock and shot them in the water. I could see it clearly through my binoculars”].
- 1450 **D54/25** Pak Sok WRI, A11 [“Q: Based on your experience and knowledge, in your unit and other units of the navy, between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? All: Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland”].
- 1451 **D54/25** Pak Sok WRI, A11-A13 [“Thousands. They included Thai fishermen [...] A13: who were arrested and killed on the sea, on the islands, or on the mainland”].
- 1452 **D1.3.34.28** DK Report by Sim (Division 1) to Division 164, 15 Sep 1977, EN 00233654, KH 00161729 [“For Thai boats which had entered further into our waters nearby our islands, I had led ships out and caught one boat with 300cc engine, and another with 400cc engine. These two boats were caught in the south of Koh Kong. On the boats there were 2 kolains, some fish and fuel. Some people on the boats managed to escape by dropping themselves into the water, and some other were killed [by our brothers]”].
- 1453 **D114/40** Moul Chhin WRI, A79-A82 [“Q: How did you know the orders came from Kampong Som? A79: I could hear the orders via radio at the ready line, close to the port. Generally, the location where they brought people who had been captured depended primarily on the place of capture. When they captured people close to this island, they brought those people to the nearest headquarters, which on this island. It was the same for people who were arrested on Koh Poulo Wai Island and Koh Tang Island. Fishermen who were captured were brought to one of many headquarters under Division 3, depending on where they had been captured. Q: Is what you are telling us in relation to the communication that you heard via radio? A80: Yes, it is. As far as I understood, every time when they captured people or boats, the battalion and regiment had to report to the division in Kampong Som. Q: As for the island where you were stationed as a guard, were there any reports

or notifications later sent to the division about what happened to the people who were arrested? A81: Yes, there were. Generally, reports were sent back to Kampong Som about what happened to those who were captured. Q: Do you remember what words they used for communicating with each other? A82: They used phrases such as 'It is done.' or 'They have already finished off those people'"]].

1454 **D114/40** Moul Chhin WRI, A88 ["I was at the port. In the daytime, sometimes, I went to relax at the port and I was looking for something to take my mind off my work. I want to clarify that every time they captured people or boats, they always brought all the crew from those boats to be killed as soon as they reached the port, because the battalion was afraid of those people fighting back and potentially escaping"]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088467-68, KH 01007867 ["Q: Were there any arrests of the Thai and Yuon people later on? A: Yes there were arrests [...] Q: Where were they sent to after their arrest? Yoeun: They were shot to dead. Q: Shot to dead at where? A: On Koh Rong Island. [...] Q: Were some of them arrested and sent to the Division base? A: Yes, there were. For example, if they [soldiers] at Koh Rong Island had arrested them, the soldiers radioed to tell the Division about that. Then, the Division told the soldiers 'Just do whatever you want. Do not keep them.' At that time they did not take ships from my group to do the arrest mission because each ship used four engines and two batteries. They took the PCF to do the arrest. Q: Were the arrested people taken to Koh Rong Island? A: Yes, they were sent to Koh Rong Island"]].

1455 **D114/127** Ou Kim WRI, A7-8 ["Q: What was the condition of the captured persons when they arrived on Koh Poulo Wai Island? Did you notice whether they were tied up, beaten, and exhausted? A7: Most of them, nearly all of them, were tied up. Q: Were the women and children tied? A8: They were not tied, only the men were tied. Anyone likely to resist was tied up"]].

1456 **D114/127** Ou Kim WRI, A11 ["I would like to clarify that as far as I remember, there was no concrete dock, and captured persons were kept for two or three days in the house I just described, just as I said in my interview with the Documentation Center of Cambodia. As for their communications with the headquarters in Kampong Som, that might be correct. I say it in this way because I was not part of their group, and I did not personally know"]].

1457 **D114/127** Ou Kim WRI, A29 ["I do not know if the captured persons were allowed to eat or not while being held there. Either way, two or three days later, those people were divided up to go with different companies. For example, if 30 people were captured, they were divided between the four companies, and then they were dispatched from that house and sent to various companies stationed at different locations"]].

1458 **D114/127** Ou Kim WRI, A34 ["Q: In what way were those people killed? A34: I learned from those chosen to do that work that the arrestees were beaten to death with clubs and then buried"]].

1459 **D114/282** Ek Ny WRI, A58 ["Q: According to your estimation, approximatively how many people were arrested and killed at sea by naval forces during that regime? A58: Not hundreds, but thousands, of people were killed"]].

1460 **D114/283** Ek Ny WRI, A30, 39-40 ["Sometimes, only one or two captives were interrogated. During the interrogation, they checked every single thing. Q: Did you know if the victims who were arrested and brought there were tortured before being killed? A39: They were all beaten and interrogated before being killed. Q: At that time, what was the purpose of the interrogation? A40: The interrogation was carried out because those people were accused of coming to spy on us. They asked how many more hidden spies there were and when they came"]].

1461 **D114/283** Ek Ny WRI, A32 ["Q: On average, when people were taken to the island, how many hours and days were they kept before they were killed? A32: The longest was one night. During the day time, it was one day. That was the longest time"]].

1462 **D114/283** Ek Ny WRI, A30 ["Q: When those people were killed and buried under the coconut trees, how were they killed? A30: They were beaten to death with wooden sticks. They were not shot. They were tied with ropes; there were no handcuffs"]; **D54/25** Pak Sok WRI, A20 ["I saw the first event, the capture and killing of a Vietnamese husband and wife and an infant about one year old on Koh Poulo Wai Chas Island at the end of 1976 or early 1977 [...] I saw the couple with their arms tied behind their back and made to kneel on the ground. The soldiers on duty at the time belonged to my Regiment 62. First they hit the husband on the back of the head with a bamboo club. After the husband fell to the ground, they struck the wife the same way. Once the wife fell to the ground, the infant cried and crawled to hug the mother. A soldier grasped the feet of the infant and struck it against a coconut tree killing the infant instantly. The bodies of the couple were chopped in two with a digging hoe. Each part of the bodies was buried under a coconut tree for fertiliser"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.03.07-11.06.59 ["One day, three Vietnamese were arrested, a husband, a wife and a one-year-old child. After they were sent to Poulo Wai island, [...] they were killed with

the hoes and the bamboo clubs. [...] the soldier picked up the baby and smashed against the trunk of the coconut tree.”], 11.06.59-11.07.31 [“They were ordinary citizens since they had no military uniforms on them and perhaps they were ordinary citizens”].

1463 **D54/25** Pak Sok WRI, A20 [“I saw the first event, the capture and killing of a Vietnamese husband and wife and an infant about one year old on Koh Poulo Wai Chas Island at the end of 1976 or early 1977 [...] The bodies of the couple were chopped in two with a digging hoe. Each part of the bodies was buried under a coconut tree for fertiliser”]; **D114/31** Moul Chhin WRI, A36 [“We watched to see if any enemy boats entered Kampuchean territorial waters. [...] When boats were captured, they were not released. The people on board were kept at coconut trees (killed and buried under coconut trees)”].

1464 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357, 00143507. *NB:* There are two English translations of this document. One, with ERN 00143507, is a complete translation, while the other, with ERN 00183357, is a partial translation. They differ in the number of victims reported (102 at EN 00143507 *versus* 120 at EN 00183357) and the language used to describe the killing of the Vietnamese (“arrested and fired” at EN 00143507 *versus* “captured and shot to death” at EN 00183357). The Khmer original, ERN 00017026, reflects 120 victims and makes it clear that the victims were killed by use of firearms.

1465 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00143507.

1466 **D114/57** Som Soam WRI, A10-14 [“Q: Would you explain to us what you saw? A11: One night, when I was on Koh Tang Island, I saw a boat with Vietnamese passengers and crew which was seized by the Navy of the Democratic Kampuchea. Q: When did this happen? A12: It happened sometime between 1977 and 1978. It was not in 1976. Q: Do you remember which time of year it was? A13: It was probably during the dry season between 1977 and 1978. Q: Who had seized the boat? A14: The Navy did it”].

1467 **D114/57** Som Soam WRI, A20-21 [“Q: Why did you state that the boat was not a fishing boat? A20: I stated that because the boat could carry a lot of passengers. I assumed that that boat could have been used to carry the Vietnamese migrants or refugees. Q: What genders were those Vietnamese? A17: There were men, women and children”].

1468 **D114/57** Som Soam WRI, A26-28 [“Q: Did you see the boat or the Vietnamese the following morning? A26: The following day, I did not go back to that beach, but later I heard my military colleagues saying that they all had been executed. Q: How did your military colleagues know this? A27: I am not quite sure. It was through word-of-mouth that the information travelled. I assumed that there were two scenarios. The first one was that those Vietnamese were immediately taken away and killed on the Island, or that they were kept as prisoners on the Island for a few days before they were taken to the mainland and killed. Q: How did you come up with these two scenarios? A28: I am not exaggerating. I only wanted to tell you what I knew very well. I was sure that my colleagues told me that the Vietnamese were killed. The two scenarios I have just mentioned earlier are based on my own assumption”].

1469 **D114/57** Som Soam WRI, A10-26 [“Q: Did you observe any situations related to the seizure of Vietnamese boats? A10: I saw such an event only once when I was on Koh Tang Island. Q: Would you explain to us what you saw? A11: One night, when I was on Koh Tang Island, I saw a boat with Vietnamese passengers and crew which was seized by the Navy of the Democratic Kampuchea. Q: When did this happen? A12: It happened sometime between 1977 and 1978. It was not in 1976. Q: Do you remember which time of year it was? A13: It was probably during the dry season between 1977 and 1978. Q: Who had seized the boat? A14: The Navy did it. Q: How did you know it was the Navy? A15: The ship, which was used to seize the boat, must have belonged to the Navy. I am concluding this because the ship was armed and only the Naval Vessels had weapons mounted on them. This Navy vessel belong to Division 164 of the Navy which was commanded by Meas Muth. Though I didn’t know further detailed information regarding the seizure of the boat, I surely saw the navy ship seizing and taking the boat carrying the Vietnamese crew and passengers to the Island. Q: Which Island are you referring to? A16: I am referring to Koh Tang Island. Q: Where were you located when you say this event? A17: I was returning from my visit to the port which was located about a kilometer away from my place of residence. I observed this incident quite by accident. Q: What kind of boat was the Vietnamese boat? What did you see at that time? A18: I heard that the boat had approximately ten people on board and that it was about ten metres in length, and between one and half and two metres wide. Q: Did you see the Vietnamese boat onshore or offshore? A19: I saw it onshore. The Vietnamese boat was brought to the beach. The “port” which I have referred to previously, is actually a beach which was used as a port on Koh Tang Island. It is much like the Au Chhoeur Teal Beach, in Kampong Som. Q: Why did you state that the boat was not a fishing boat? A20: I stated that because the boat could carry a lot of passengers. I assumed that

that boat could have been used to carry the Vietnamese migrants or refugees. Q: What genders were those Vietnamese? A21: There were men, women and children. Q: How did you know this? Did you see them on any occasion? A22: I was walking along the beach, when I saw the Vietnamese passengers. Among them, I saw children of between seven and ten years of age crying. Q: You stated previously that this incident occurred at night time. How could you see them? Was there any light? A23: I was between fifteen and twenty metres away from them. I saw them on the beach. The moon light was bright enough to let me see the full view of what was happening. Q: Did you see anyone being tied-up? A24: They were not tied-up. Q: Were you able to see what became of those Vietnamese? A25: I do not know what happened to them because I left the scene immediately. I saw only the children crying and heard the adults speaking in Vietnamese. Q: Did you see the boat or the Vietnamese the following morning? A26: The following day, I did not go back to that beach, but later I heard my military colleagues saying that they all had been executed”].

1470 **D114/262** Chum Chy WRI, A46-53 [“Q: [...] let's continue with further discussion of the incident involving the capture of Vietnamese refugees, clarifying this first for now before continuing with further discussions. Can you tell us more about this event? For example, how many refugees were there at the time? A46: I am not sure about the number. Maybe seven or eight persons, and whether male or female, I don't know. Q: As far as you remember, is it correctly written in this report when it says said that they were taken to be placed the vicinity of the rocky port on the east of the island? A47: It is correct. It is only because you have reminded me of this that I understand things, because it was so many years ago I had forgotten. Thank you for reminding me. Q: Was there any building or hall at the rocky port on the east side? A48: There was actually no building or hall. It was an example of a place where there were large rocks and deep water where we could request to dock boats or ships, which was why it was named the rocky port. On Koh Tang Island, there was also a pier at which ships could be docked. It was also called a rocky port. It was not a concrete port we had constructed. The rocks had emerged there of their own accord. Q: Do you remember who seized the refugee boat? A49: I had no understanding of this because back then we were a mixture of Sector 37 units and Battalion 420. I say this because I cannot respond with the facts about what we did not personally do and know about ourselves. Q: Were you able to know if the commander of Company 408 ever contacted Kampong Som City to request instructions and from whom? A50: I had no understanding of this and did not know who we had just been squeezed into initial merger with each other. I did not know who. Q: From whom did you learn about this event back then? A51: I learned about events occurring from friends who were in the army with me. Q: To your knowledge, what happened to the arrested refugees at the time? A52: When we came to know about it, I knew that they killed them. I did not know beforehand about a plan to take them to be killed. Q: Do you know by what means and where they were killed or not? A53: I only know points about which I am not certain, because back then I was young and paid no attention to killings committed by the upper echelon. Whatever they did, they never clearly informed combatants. They decided things only higher up than us. Only after the killings did we know that they were killed by gunfire. It was their bodies that I suppose were to be seen in the rocks in the general area of the rocky port”].

1471 **D114/264** Chum Chy WRI, A2-6 [“As far as I know and understand, the type of boats on which persons of Vietnamese nationality crossed through our territorial waters were wooden boats. They were wooden boats of medium small size. They were not ships or large-sized vessels. [...] I would like to inform you that the corpses of these nationals were not characterized by military uniforms. Their clothes were a mixture of colours: blue, white, and yellow. This was characteristic of those belonging to this ethnicity and ordinary people”].

1472 **D4.1.754** U.S. Cable regarding the *Mayaguez* incident and events on Poulo Wai island, 7 Jun 2005, EN 00387429, KH 00791383 [“In April-May 1975, his unit captured a boat carrying more than 10 Vietnamese refugees including women and children. Sources' unit housed and fed the Vietnamese near a concrete pier on the eastern side of Poulo Wai Thmei Island for two or three days. After they captured the boat, the 408th commander contacted Kampong Som for guidance on the disposition of the refugees. The high command in Kampong Som ordered the commander to kill the refugees. The commander and his deputy carried out the order”].

1473 **D54/102** Ek Ny WRI, A29, 41-44 [“West of the coconut plantation, at the foot of the mountain, was the location of the durian plantation where Ta Muth had taken the Thai people to kill and then buried the dead bodies under the durian trees as the fertilizer. If any Thai people want to look for the bones of their relatives now, they can go to look for them in that durian plantation. After they [Khmer Rouge] had captured two 1,400 horsepower and one 1,800 horsepower fishing boats of the Thai, they took all the Thai fishermen to kill in that place. During that time they used the minesweeper ship, which was very fast, to chase and capture the

Thai fishing boats. That ship was as very fast as an airplane. During that time, when they had arrested the Vietnamese refugees, who were traveling by boat to seek asylum in the 3rd countries, they took those Vietnamese refugees to kill in that durian plantation also. They [Khmer Rouge] called those Vietnamese refugees the piglets. They said that they took those refugees to make fertilizer for the durian trees [...] A41: At the beginning, whenever we had captured any Vietnamese and or Thai, we sent them to Ta Muth in Kampong Som. But later on, Ta Muth ordered us not to waste gasoline to transport them to Kampong Som anymore. He told us that we should make them as fertilizer for the coconut trees on the Island. Each corpse was cut into two pieces, and one piece was buried under one coconut tree as fertilizer. Q: Did you see with your own eyes any corpse which had been cut into two pieces? A42: No, I did not see while they were cutting the corpse, but everyone knew about this story because the rotten smell was strong in the area and the sign of dead body swelling out from under the young coconut trees. Q: You said that after the Vietnamese and Thai had been captured, they were sent to Ta Muth in Kampong Som. Can you explain what do you mean by saying that? A43: Any persons who had been captured by the navy forces must be sent to Ta Muth in Kampong Som, and we heard at that time that those captured persons were all ended up in the durian plantation. During that time the killing place of Division 164 was at the durian plantation only”].

1474 **D54/102** Ek Ny WRI, A43 [“Any persons who had been captured by the navy forces must be sent to Ta Muth in Kampong Som, and we heard at that time that those captured persons were all ended up in the durian plantation. During that time the killing place of Division 164 was at the durian plantation only. Q: How did you know that Ta Muth had told his soldiers not to send the captured persons to Kampong Som anymore? A44: The unit chiefs told me that there was no need for us to send the captured persons to Kampong Som anymore because brother Division chairman had told us just finish them on site”].

1475 **D54/8** Dol Song WRI, A41-A49 [“Q: In your interview with ADHOC, you mentioned that you saw them kill 30 Thai people on a boat. Can you please describe that event? A41: This event happened while I was training with the navy. I saw Thai people who had been arrested and brought to an island. Q: In which year was that? A42: In 1977. Q: To which island? A43: To Poulo Wai Island. Q: Who were those Thai, can you tell us? A44: They were fishermen, and they were all adults. I also saw a fishing boat there. Q: How did you know that they were fishermen and not enemy soldiers? A45: Because it was a fishing boat. Besides, our soldiers on the island said they (those Thai people) were fishermen. Q: Can you describe the condition of those people when they were being arrested? A46: Their arms were tied. Soldiers on the island said they would kill those Thai people. Q: Which unit were the soldiers who arrested the fishermen from? A47: They were the ground forces of Division 164 who were stationed on the island. I did not know which regiment they were from. Q: Do you know if any of the soldiers who arrested the fishermen are still alive? A48: No, I do not”].

1476 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.10.55-14.14.10 [“If the Thai people were captured, they would be returned to Thailand. As for the Vietnamese the same political chain was used. For me, for my unit, when they were captured then I would send them through to the upper level [...] through to the division [164].”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.54.58-09.56.22 [“Q: Did you also hear during the DK period that the Vietnamese, whether they be from within or from outside of Cambodia, were the hereditary enemies of the Khmer? A: I heard of it. Everyone heard of it, that they were hereditary enemies”]. *See also*, **D54/23** Pak Sok WRI, A32 [“Yes, because the Thais had not have much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that’s why the Vietnamese were considered the Hereditary Enemy and Enemy Number One”]; **D114/283** Ek Ny WRI, A18 [“it was the law set up by the upper levels that we had to absolutely smash the Vietnamese race regardless of whether they were just ordinary citizens or fishermen. We had to arrest them all”].

1477 **D114/264** Chum Chy WRI, A12 [“I would say with regard to persons of Vietnamese and Cambodian nationality that you will understand that during Democratic Kampuchea times it was said that they were hereditary enemies since before, as we had heard from our ancestors”].

1478 **D114/283** Ek Ny WRI, A11, 14 [“Q: At that time, according to what you knew, why were Vietnamese killed? A11: The Vietnamse were considered as invaders. They would not spare the Vietnamese wherever they met them. They had to be smashed [...] Q: Please help explain the words ‘we noted them very well’. A14: I mean that, whenever we saw them, we would not spare them. They were our real enemies whom we hated to the bone. We would not spare them when we met them”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 10.07.02-10.08.43 [“if I considered all the ‘Yuons’ enemy, I would have smashed them at the sea when we captured them in Koh Kong. But we -- I did not do that. I sent them to the upper level, and whatever measures the upper level did, that was their authority. Those ‘Yuo’ that we captured, they were not soldiers. They did not bear arms, so they were considered ordinary people”].

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D114/283 Ek Ny WRI, A11, 15, 18-20 ["Q: At that time, according to what you knew, why were Vietnamese killed? A11: The Vietnamese were considered as invaders. They would not spare the Vietnamese wherever they met them. They had to be smashed. [...] Q: When you say 'you noted them very well', who provided the idea that you were the opponents of the Vietnamese? Where did it come from? A15: It came from the upper level." [...] Q: As for the Vietnamese who escaped at that time, there were women, men and children with no weapons. They crossed into Cambodian maritime waters. According to my observations, they seemed to pose no threat against us. Why did the soldiers think that they had to kill those people at that time? A18: It was the law set by the upper level that we had to absolutely smash the Vietnamese race regardless of whether they were just ordinary citizens or fishermen. We had to arrest them all. Q: We would like you to describe and give examples of the way the upper level leaders indoctrinated you with the ideology to hate and kill the Vietnamese. How did they indoctrinate you with this ideology? A19: The plan was to call the battalion and company commanders to attend the studies at the Division Office. Q: How about the ordinary soldiers like you? Did they teach you or did you study about hating Vietnamese? A20: There were meetings in each group. The meetings were conducted daily; they discussed the task to defend the country. That was the priority task"].

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D1.3.30.25 Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00143507, KH 00017026, FR 00611668 ["2. We failed to release Thai people as schedule because some of them had wrong names compared with what the receivers had. The mistakes were not serious as they were basically just misspelling at the end of the words. We could not contact with each other to ask some advice because the radio did not work. Because of the Telegram in comrade Lonh' section sending the messages slowly and sometimes the messages lost, the handing over the Thai had to delay until 31.3.78 at 20.00. The receivers are chief of Khlang Yai District, and the other one in a member of people rescuing team. The Thai receivers gave 3 cartons of cigarettes [3 cartons of cigarettes equal to 30 packages of cigarettes] and 1 bottle of oil palm to our comrades"]; **D54/98** Heang Ret WRI, A80 ["Q: Where were the captured Thai fishermen sent? A80: I do not know where they were sent to be detained, but later, there was a negotiation between Cambodian and Thai authorities in early 1977, and there was an exchange of those Thai fishermen on Koh Sdach Island"]; **D54/11** Meu Ret alias Saret WRI, A24-26 ["In 1976, I saw Thai fishermen they had captured and brought to Koh Ta Keav. One day when I was picking coconuts at Koh Ta Keav, I saw Thai fishermen there. A soldier there on the island told me that those people were Thai fishermen who had been captured. Those fishermen were not tied up; they were walking around there; some of them were picking coconuts and others were cooking rice. There were about 10 people including old and young, but there were no children or women. They wore multi-coloured clothes. I heard from a soldier there on the island there that the Thai Embassy would make contact to take those fishermen back to Thailand. Q: Under what command was the soldier who gave you the information? A25: I did not know what unit those soldiers were from, but they were in Division 164. Q: As far as you know, were the people who had been captured fishermen, or what? A26: Yes, they were all fishermen"]; **D1.3.13.11** Sieng OCP Statement, EN 00217565["This patrolling was to police DK waters and keep Thai fishermen away from DK territory. When they saw Thai fishing boats, they fired on them and if a boat was seen on a number of occasions, the boat was intercepted and the crews taken into custody. Sometimes they warned the fishermen and released them. Other times they would arrest the fishermen and keep the boats. There would be negotiations between the higher level cadre and Thai authorities for the release of the fishermen. This took place when the Thai authorities contacted DK forces"]; **D54/115.1** Neak Yoeun DC-Cam Statement, EN 01088470, KH 01007869 ["Q: Until what year did they stop capturing/arresting boats and people? Yoeun: Ah! We did not stop capturing/arresting people until the time [the Regime fell] when we escaped. As for the Yuon, if they had been arrested, they would not be kept alive. Q: Were the arrested Yuon not kept alive? Yoeun: No, they were not kept alive. But for the Thai, they were not [killed]"]; **D54/98** Heang Ret WRI, A80 ["Q: Where were the captured Thai fishermen sent? A80: I do not know where they were sent to be detained, but later, there was a negotiation between Cambodian and Thai authorities in early 1977, and there was an exchange of those Thai fishermen on Koh Sdach Island"]; **D114/104** Iem Phong WRI, 11 Aug 2015, A121 ["Q: What did they do to the Thai fishermen and the boat pilots? A121: They took them to the mainland at Ream, Koh Ta Keav. When they were many, say ten twenty persons, they gave them a boat to return to their country. Sometimes, they kept them for two weeks to learn to speak Khmer before they allowed them to go back to their country"]; **D1.3.13.11** Sieng OCP Statement, ["Sometimes they warned the fishermen and released them. Other times they would arrest the fishermen and keep the boats. There would be negotiations between the higher level cadre and Thai authorities for the release of the fishermen. This took place when the Thai authorities contacted DK forces"]; **D59/1.1.12** Nop

Hal DC-Cam Statement (Transcript), EN 00968399 ["Q: As for Thai fishermen, before seizing them did you give any warning, or what, or did you seize them and send them to the Division, then release them? Hal: They were never released. Q: They were never released? Hal: No. Q: To which Division did you send them? Hal: During the period, as I recall, Thai boats were seized often because they got too deep inside our territory and stayed on for long. Some boats stayed for the whole night, and did not return. Q: Did they encroach on our territory? Hal: Yes, they encroached on our territory, and they were seized not only at night, but also during daytime. Q: Were they seized even during daytime? Hal: Yes. They were seized because we had tracked them. We were on the island, like Koh Poulo Wai; it had old flares. It was called an old tower, but now it does not have any flares. At that time it had spaces to sit up and monitor, so we monitored all day. At night, we would spot a boat with the flare, and during daytime, we would still spot it. If it did not leave, then we would report it via phone radio. We made such contact once every one hour. The location of Regiment 62 was on Koh Tang. Q: The Koh Tang Office? Hal: Yes. The location of the Regiment was also there. So, on Koh Tang, the Battalion reported to the Regiment, and the Regiment reported to the upper level via their port. Seizures could be made not by a normal boat, but by a ship at the port. A motorboat could not catch another motorboat because they had the same speed; they could not catch each other"]; **D54/100** Lay Bunhak WRI, A160-162, 165 ["Q: In your interview with the Documentation Center of Cambodia, you said a number of the arrested were sent to the headquarters and others were freed. How do you know this? A160: I learned that via radio, when they talked about it by radio. At that time, they used radios. Radios were the most important. Q: Who reported those matters? A161: In fact, they related to the division. If their division commander gave the order to bring those people, they would bring them. Q: What do you know about the people who were freed? A162: I do not know anything [...] Q: In your interview with the Documentation Center of Cambodia, you said those captured were sent to Phnom Penh and then sent to the embassy. Can you clarify this and how you know? A165: I knew about that because of a collective meeting of the unit. They told us that diplomats in the embassy had negotiated with our government, and those captured had been freed. That meeting was held once a month"]].

1481 **D114/285** Prum Sarat (Bun Sarat) WRI, A150 ["The order was from the General Staff to the division to take the people on the Mayaguez Ship to Kampong Som"]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 09.37.10-09.38.40 ["the order came from the division to capture the Mayaguez. People on the island noticed the presence of the Mayaguez and at that time, we, people on the island, reported to the superior or upper echelon. That order came back to send two speed boats to go and capture the Mayaguez"], 10.07.27-10.09.17 ["The order for the capture of the Mayaguez came from the division to the regiment, then down to the battalion and to the soldiers on the ground. None of the battalion or regiment was autonomous. The order had to come from the upper echelon for the capture of that ship"], 10.40.40-10.43.41 ["The order came from Ta Muth in charge of the division. And he gave the order to members of the navy to go and arrest the ship or vessel. When the order came down to the battalion, then the battalion would relay that order to its subordinates [...] Back then, the Mayaguez was captured. In the operation, there were vessels and naval squad who captured that ship. Actually, the naval soldiers listened to the order, and the order must have been from the division. Otherwise, the naval soldiers did not dare to seize and capture the vessel"]].

1482 **D114/285** Prum Sarat (Bun Sarat) WRI, A84 ["I learned that the Mayaguez Ship was captured at Koh Polou Wai. On that day, there was an announcement from the Head of State Khieu Samphan. He issued an urgent statement saying that the Mayaguez Ship entered into Cambodian sovereign territory"]; **D54/38.1** Lun Seng DC-Cam Statement, EN 01072384, KH 00967310 ["On the radar at Bokor, we saw that ship coming. Then they ordered us on the islands to examine the situation on the ground. After examination, the Mayaguez entered four kilometres inside our maritime territory up to Koh Poulo Wai island known as the farthest island of Cambodia"]].

1483 **D54/31** Soem Ny WRI, A4 ["Whilst I was working at Kampong Som Port, the event of the Mayaguez ship capture happened. I saw that this vessel was escorted to be anchored near Kampong Som Port"]; **D114/263** Chum Chy WRI, A7-8 ["when we seized a big or medium-size ship such as the Mayaguez, we could not tow it because it was so big. There was only an order to escort the ship that we were guiding there [...] This is all that I can confirm to you about when sent the Mayaguez to Kampong Som [...] A8: it was upon arrival in between Koh Rong Island and Kampong Som because the ship (Mayaguez) was big and could not enter the Kampong Som Port. After having arrived at the point where the ship berthed, me and my unit of organization went back to Koh Poulo Wai Island(s). Two or three days later, war broke out on Koh Tang Island and at a number of points in Kampong Som"]].

1484 **D114/285** Prum Sarat (Bun Sarat) WRI, A148, 150-151 ["Q: Who took the people from the Mayaguez Ship

to Kampong Som and back? A148: They were soldiers who were stationed on the islands including Koh Polou Wai Chas and Koh Polou Wai Thmei [...]. Q: Who ordered those soldiers to take the people on the Mayaguez Ship to Kampong Som? Or, did they do this on their own? A150: The order was from the General Staff to the division to take the people on the Mayaguez Ship to Kampong Som. The division ordered Regiment 62 on the island to bring the ship to the shore [...]. Q: When the General Staff Son Sen gave the order to the division, who did he communicate with in the division? A151: He communicated with Meas Muth who was the Commander at Sea"; **D54/100** Lay Boonhak WRI, A54 ["Q: You said that you listened via radio and heard that the crew from the Mayaguez had arrived in Kampong Som. Do you still stand by what you mentioned? A54: Yes, I do"]; **D54/38.1** Lun Seng DC-Cam Statement, EN 01072385, KH 00967311 ["Q: Had you been in contact with your superior by telephone for arrest orders, or did you make the arrests on your own initiative? A: My superior, at the time, also the chief of division, Meas Muth, ordered [us] to bring those crewmen in for questioning. Q: Did you receive the order directly from him? A: Yes, I received the order. Q: Directly or through Moeun? A: No, through Moeun"], EN 01072391, KH 00967317 ["Q: After the forty two crewmen from the Mayaguez had been taken for questioning for about five to six hours, were they taken back to their ship? A: Yes, they were taken back to their ship [...]. Q: You saw them boarding the ship? A: Yes, I saw them board the ship, and they said they were allowed to go back [...]. Q: Forty-two altogether? A: Forty-two. Q: No one was missing? A: No"]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 09.34.20-09.37.10 ["After the capture of the Mayaguez, people or crew members on the Mayaguez were removed and sent to Kampong Som"], 09.48.58-09.51.07 ["my unit was ordered to arrest people on the ship in order to send them to Kampong Som by boat"].

1485 **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.22.19-14.24.47 ["We allowed them to leave and the attack came shortly after the Mayaguez ship departed"].

1486 **D114/285** Prum Sarat (Bun Sarat) WRI, A84 ["They used soldiers and helicopters to fight at Koh Tang. At that time, the soldiers on the island fought against the American soldiers"]; **D114/263** Chum Chy WRI, A8 ["Two or three days later, war broke out on Koh Tang Island and at a number of points in Kampong Som [...]. many U.S helicopters flew across international territorial waters to Koh Tang Island and it became a battle between American troops and Democratic Kampuchea troops"]; **D114/132** Mao Ran WRI, A49 ["On the 14th, the American troops began to attack Koh Tang Island using helicopters, and other aircraft dropped bombs"].

1487 **D114/297.1.2.1** Pak Sok, T. 5 Jan 2016, 09.51.07-09.53.30 ["Two aircrafts or helicopters were shot and fell into the sea and another one fell on the beach on that island"], 10.02.02-10.04.03["I, myself, actually shot down one helicopter"]; **D114/32** Mao Ran WRI, A48-49 ["I was engaged in three days of combat against an American ship on 14, 15 and 16 May 1975 [...]. A49: On the 14th, the American troops began to attack Koh Tang Island using helicopters, and other aircraft dropped bombs [...]. On the morning of the 15th many helicopters came to fire at us again. Our soldiers shot down two of the helicopters. One fell into the sea, and the other one crashed to the ground in front of our trenches [...]. they continued to bomb us until the morning of the 16th [...]. US aircraft then arrived and evacuated their soldiers, both the survivors and the bodies of their dead. We did not know the total number of American bodies remaining because we had thrown some of the bodies into the water"]; **D54/48** Em Sun A32 ["Thirteen of our combatants were killed and another six were injured"]; **D114/186** Sath Chak WRI, A44-45 ["Later, I saw two helicopters that had been left there. The Americans did not take them back [...]. A45: One helicopter was on the beach. The other one was in the shallow sea water. Its rotor blades were still spinning"].

1488 **D114/283** Ek Ny WRI, A60 ["They only found bones inside the helicopter. One helicopter was shot down. It was shot with B-40 artillery that could melt the iron. There were 14 bodies inside it. Another helicopter was shot at the tail, and all the soldiers escaped"]; **D4.1.747** U.S. Cable containing account of interview with Ek Ny, EN 01172488, KH 00640514 ["While on the island Mr. Ny was tasked to enter the helicopter with the broken tail and recover aircraft fuel for use in cooking. He believes he probably went into the aircraft over 25 times"]; **D114/132** Mao Ran WRI, EN 01172487, KH 01154116 ["Our soldiers shot down two of the helicopters. One fell into the sea, and the other one crashed to the ground in front of our trenches"].

1489 **D114/285** Prum Sarat (Bun Sarat) WRI, A89-90, 92 ["When there was fighting on the island, the radio communication was turned on. They wanted to know about the fighting with the Americans on the islands and how the ship was brought closer to the shore [...]. A90: The order was given through radio communication. The division gave the orders of what to do [...]. A92: The radio communication operator was under the orders of Meas Muth [...]. Q: Did anyone give an order to the battalion to prepare themselves? A95: Yes, he did. The soldiers held guns and got down into the trenches. Q: Who gave the orders? A96: Meas Muth did"].

- 1490 **D114/283** Ek Ny WRI, A60 ["Those who died during the fighting were buried along the beach in a row. They were not buried together [...] The bodies of the American soldiers were left unattended on the beach. The bones were all lost. They only found bones inside the helicopter. One helicopter was shot down. It was shot with B- 40 artillery that could melt the iron. There were 14 bodies inside it. Another helicopter was shot at the tail, and all the soldiers escaped"]; **D114/32** Mao Ran WRI, A49 ["Several days after the fighting, we saw an American survivor who later fled into the forest. When we approached him, the American survivor attacked our soldiers and was shot dead"]; **D114/186** Sath Chak WRI, A49 ["later, American soldiers who got lost were arrested. However I do not know clearly about this. The island was huge. Perhaps some of them got lost or could not board their helicopters on time. I do not know whether or not those American soldiers were arrested eventually [...] A50: I just heard that there were dead bodies of American soldiers who died from starvation"]; **D54/48** Em Sun WRI, A2, 5 ["the three American soldiers whom I arrested were not injured [...] A5. As I mentioned before, the Americans soldier who was shot dead on Koh Tang Island had no injury and the other two soldiers were sent to Kampong Som "]; **D114/59.1** Analytical Report of investigation by U.S.A. Intelligence (Stony Beach Report), Jan 1999, EN 0108011 ["The three Marines were in the last fighting position on the extreme right flank [...] After the helicopters had lifted off, U.S. forces discovered the three Marines were not on board"].
- 1491 **D54/48** Em Sun WRI, A4 ["As I mentioned before, an American soldier was shot dead by my military on Koh Tang Island"]; **D54/47** Em Sun WRI A49 ["After five days of fighting with American soldiers on the island, American were withdrawn. We frequently lost our left rice; thus we took turns to keep a close eye on what happened. On the second night, the sixth squad saw and arrested an American man at 3 a.m. When we questioned him, and he told us that three American soldiers were on the island. We tied him up, and the next morning we escorted him out to search for the two more American soldiers [...] While being escorted, he tried to escape; thus, I shot at him, and he fell down, and then another soldier shot him to death. We buried his corpse over there .We patrolled the island the whole day, and at 6 p.m., we found two other American soldiers in a cave on the south western part of the island. They surrendered by raising their hands, and we tied them up. They had three rifles, which we confiscated. Then we escorted them to our base. While escorting them to the base, I questioned them and they told me that they had remained on the island because they failed to board their helicopters"]. *Contra:* **D114/283** Ek Ny WRI, A61 ["Q: After the fighting, there were two surviving American soldiers who were captured on Koh Tang Island. They were sent to Kampong Som. Did you ever hear that story? A61: I did not know that story [...] The Khmer Rouge did not arrest prisoners of war"]; **D114/32** Mao Ran WRI, A49, 52 ["Several days after the fighting, we saw an American survivor who later fled into the forest. When we approached him, the American survivor attacked our soldiers and was shot dead [...] : Q: Were any American soldiers captured alive? A52: No"].
- 1492 **D54/47** Em Sun WRI, A49 ["When we arrived at our military base, we contacted Meas Mut's division by radio and reported that we had shot dead one American soldier and arrested two other American soldiers who had failed to board their helicopters. Meas Mut directly ordered Tak to take a BE boat to transport the two American soldiers and the corpses of the three members of my Regiment 450 (who were killed during the fighting) to Kampong Som"]; **D54/48** Em Sun WRI, A5, 14 ["the other two soldiers were sent to Kampong Som [...] A14: At first I talked on the walkie-talkie to the radio operators, Saran and Dul. I told them that I wanted to talk to 63/Meas Mut; then 63/Meas Mut/63 talked to me on the radio and he ordered me to bring him the two alive American soldiers"].
- 1493 **D54/48** Em Sun WRI, A32, 34 ["I went to meet Meas Muth at his office and he asked me to explain about the situation on Koh Tang Island. I explained to him about that event and the fighting on Koh Tang Island [...] Q: When Meas Muth called you to come to his office, did he discuss with you what happened to those two American soldiers after you had handed over them to Meas Muth? A34: For the two American soldiers, Meas Muth said 'Let them take care [the American soldiers]'. I did not know to whom he referred 'them' and I dared not enquire to him either"]; **D54/48** Em Sun WRI, A33 ["Q: When was the last time that you saw those two American soldiers still alive? A33: At Ou Chheu Teal Port. In fact the ship nearly arrived at the beach, I called the Staff Office of Division 164 via the radio to inform that we nearly arrived at the port, and they sent a jeep to the port to carry those two American soldiers"].
- 1494 **D54/48** Em Sun WRI, A35, 36, 39, 42 ["About 20 days later I found out that they were killed. One of them was killed next to Kampong Som beach behind the 7-storey hotel, and the other one was killed in the west beneath the ex-King's Residence [...] A36: I walked to patrol from the 7-storey hotel area to Kampong Som Port. During the patrol I saw the bodies of those two American soldiers at the two beaches [...] A39: The complexion and facial features of the first body were different from those of our Khmer people, and so were

those of the second one. Thus I assumed that the two bodies were of the American soldiers [...]. A42: The first body was at the 7-storey hotel. I saw the body sleeping on one side and the rest of his legs were in the water. His head was pommelled from the back with coagulation blood. Flies perched it and it stank. For the second body at the ex-King's Residence, the body lain face down on his stomach. His head lain westward whilst his legs lain eastward. His head was pommelled from the back with coagulation blood. Flies perched it and it stank. Having seen the conditions of those bodies with stinking, I could assume that they were killed early the previous night because I saw them at noon"]; *see* the administrative map where the locations where the bodies were found by Em Sun are indicated: **D54/48.3** Administrative Map of Kampong Som (annotated by Em Sun), KH 00969463.

1495 **D54/48** Em Sun WRI, A20-21, 25 ["When you were on Koh Tang Island, had Meas Mut ever been absent? A20: When I was on Koh Tang Island he had never been absent. Q: When you were on Koh Tang Island, how did you know if Meas Mut was present or absent? A21: I knew that Meas Mut was present when I reported to the radio operators in order for them to pass this report to Meas Mut [...]. A25: Before the Mayaguez incident, Meas Mut had not been absent. During the Mayaguez incident and fighting Meas Mut was also not absent, and he commanded my battalion [...]. A26: I talked directly with Meas Mut once after the fierce battle with the American soldiers"]. *See* **III. Meas Muth's Role and Responsibility.**

1496 **D22.2.181** Meas Muth POW/MIA Statement, 5 Dec 2012, EN 00249693 ["Summary [...] ((Meas)) Mut was hospitalized in Phnom Penh during the Mayaguez incident. No live Americans were captured on Tang Island and only one American body was discovered after the battle. He had no information on the disposition of any U.S. remains"], EN 00249694 ["From May to July or August 1975, Meas Mut was hospitalized in Phnom Penh with a serious intestinal disorder. The only information he received concerning the Mayaguez incident at the time of the incident was from his wife, who only mentioned the ship's capture and the U.S. attack during her brief visits to see him. She told him about the capture of the Mayaguez about two days after the incident and about the U.S. attack two to three days after it was over [...] ((Chhan)) – Division Commander. He was in command during the Mayaguez incident but was in Kampong Som and Ream"].

1497 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978574, KH 00955506 ["sometimes they were taken to Ream because that place also belonged to the Division. Q: Were those fishermen sent to Ream or to the former king's residence? A: To Ream"]; **D54/25** Pak Sok WRI, A13 ["The seizure of the Thai 400-horsepower engine fishing boat was in June 1976. [...] All the Thai fishermen on the boat were sent to Ream"]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217575 ["they would sometimes capture Thai fishermen. Depending on the orders, the fishermen would be taken to either Ocheteal or Ream"]; **D54/22** WRIA, 17 Jul 2013, EN 00947622, KH 01002678 ["Witness only saw the yacht but didn't see the crew. He allegedly heard that the 2 crew were transported to Ream"].

1498 As for the boats and/or crew and passengers taken to Kampong Som in general (no details provided regarding the exact location), *see* **D54/83** Hing Uch WRI, A33 ["Usually, when a boat was seized and people on board were captured, my unit had to send them to Kampong Som because we had no right to those boats and people. Unless the division already checked into this problem, they made the decision on dividing those things to the units. This was the responsibility of the division. Separately, we were only responsible for capturing and sending the boats and peoples to Kampong Som. I did not know what would happen to those people after being sent to Kampong Som because that was no longer my responsibility. Division 164 was the competent unit, and they could decide the destinies of those people"]; **D114/186** Shat Chak WRI, A82 ["Generally, captured boats were towed to Kampong Som; thus we did not see the captured boats. However, from the island we could see them towing the boats to Kampong Som"]; **D54/98** Heang Ret WRI, A68-69 ["Q: After the seizure of the Vietnamese boats, where were the people on the boats sent? A68: I only know that the Vietnamese fishermen sent to the port were transported further by trucks of Division 164. However, I do not know where they were sent. Q: Do you know what happened to those captured Vietnamese fishermen? A69: I do not. After those Vietnamese fishermen were transported away from the port by truck, I never saw them again"].

1499 **D2/15** Touch Soeuli alias Soeu Touch WRI, A4 ["Q: You said that you saw the boats and those foreigners at the pier, was it at the Au Chheu Teal Pier or the other pier? A4: It was at the Au Chheu Teal Pier"]; **D54/79** Nop Hal WRI, A8 ["they assigned me to pilot that Vietnamese boat to Ou Chheu Teal at Kampong Som"]; **D54/23** Pak Sok WRI, A25, 35-36 ["If we arrested more than 20 people, we had to send them to Ou Chheu Teal. To my knowledge, those who were sent to the shore were also killed later [...]. A35: The captured, once brought to the Ou Chheu Teal Port in Kampong Som, were taken off the boat and put on trucks and taken away immediately [...]. A36: I once transported persons captured by my ship and brought them to the Ou

Chheu Teal Port. They totalled 12 to 13”]; **D54/11** Meu Ret alias Saret WRI, A3 [“I once saw a grey wooden boat about fifteen metres long and four metres wide kept at the Ou Chheu Teal port. I heard from other soldiers that the boat had belonged to Vietnamese refugees who had intended to flee to a third country”]; **D54/25** Pak Sok WRI, A6 [“When military on the islands captured those people [who entered Kampuchean territorial waters] they sent them to the mainland, and they always brought the captured ashore at the Ou Chheu Teal port”]; **D54/22** WRIA, 17 Jul 2013, EN 00947622, KH 01002678 [“Probably in 1978, during rainy season, being at Au Chheu Tal beach he observed a captured yacht with 2-3 crew which was docked at the jetty. The yachtsmen he described as being tall, white Caucasian, being rich, being tourists [...] They were not beaten or tied up”]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217575 [“Depending on the orders, the fishermen would be taken to either Ochetal or Ream”].

1500 **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963734, KH 00926467 [“Q: After their capture, where were the illegal fishermen transferred? A: They were sent to the Headquarter. Sometimes some of them were released. Sometimes, we released them because it was considered reasonable and they could pay us money [...] We took them for education and warning then released them”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978574, KH 00955505 [“Q: Which shore did you take the fishermen to? A: To Kampong Som. Q: Where was it in Kampong Som? A: It was at the former king’s residence”].

1501 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978574, KH 00955505 [“we tied them up when we arrived at the shore [...] and we tied them to each other [...] [they were] Thais and Yuons”].

1502 **D54/25** Pak Sok WRI, A13, 15, 16 [“The seizure of the Thai 400-horsepower engine fishing boat was in June 1976. It took place 12 kilometres west about to enter international waters. All the Thai fishermen on the boat were sent to Ream. I encountered all of those Thai fishermen on the island of Koh Ta Kiev about six to seven months later. [...] A15: The capture of the 1800-horsepower Thai fishing boat took place at the end of 1976. It took place approximately 30 kilometres southwest of the island of Koh Poulo Wai Chas [...] Q: What happened to those Thai fishermen? A16: They were then sent to Ream and were later sent to work on the island of Koh Ta Kiev with the ones captured previously; I encountered them during my work there”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978575, KH 00955506-07 [“Q: Did they use the captured Thai fishermen to dig canal? A: Yes, canal and dam. [...] They used them to build dam [...] When I arrived in Ream later, I saw them working”].

1503 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978575, KH 00955506-07 [“They told me that we should not touch them because after we put them to work for a period of time, we would send them back [to their country]”]; **D54/25** Pak Sok WRI, A14 [“I heard from the guards on the island that all the Thai fishermen would be sent back to their home country, but I do not know if that was true or not”]; **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.10.55-14.14.10 [“If the Thai people were captured, they would be returned to Thailand.”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 09.53.36-09.58.05 [“if there were boats from Thailand, there was orders of arrest, and if there was such an order, I went to make an arrest.”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 14.02.55-14.04.20 [“regarding the seizure of Thai fishing vessels or any other vessels for that matter, we had to deliver them to the international relations section or department so that the matter could be solved at their level, in line with the policies of the Ministry of Foreign Affairs”].

1504 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978579, KH 00955511 [“When they arrested people, they took them to Teuk Sap near Koh Keng [Kang Keng] east of Ream”].

1505 **D54/113** Leang Bea WRI, A57-58 [“Q: Did the Khmer Rouge military take the Vietnamese captured from the boats to the mainland shore or to an island? A57: The majority were taken to the mainland in Kampong Som, not to islands. Q: Do you know where they were taken? A58: I do not know”].

1506 **D54/79** Nop Hal WRI, A8, 12, 14 [“When arriving at Phae Ou Chheu Teal wharf, I could see a vehicle waiting to collect the Vietnamese people who were captured from the boat [...] The forces that came to collect those Vietnamese people were from the Internal Office of Division 164 [...] I saw watches and over ten gold leaves. When they were captured, all of those objects were confiscated and written into the report as well. The people, the boat, the objects, and the report were sent to Kampong Som [...] All of their belongings were seized”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015 10.58.13-11.00.37 [“those without guns were arrested and sent to Ou Chheu Teal to be sent further to the division headquarter”].

1507 **D54/79** Nop Hal WRI, A3, 27 [“In case of seizure capture, both the boat and the people on the boat were sent by Regiment 140 boat to Kampong Som or to an island for a short time before they were sent to Kampong Som. If a boat of Regiment 140 left Kampong Som in order to capture a boat, after the capture, they would bring both the boat and the people to Kampong Som at once. But if the Regiment 140 boat was on standby at Koh Poulo Wai Thmei Island or Koh Tang Island, after the capture they had to return for a short time to one

of the islands under the control of Regiment 62 [...] A27: this report does not mention about stopping at Koh Tang Island and Koh Poulo Wai Island for a short time for checking and reporting before sending them to Kampong Som”].

1508 **D54/25** Pak Sok WRI, A11 [“Q: Based on your experience and knowledge, in your unit and other units of the navy, between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? A11: Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland”].

1509 **D54/23** Pak Sok WRI, A25, 29 [“In cases where we seized the Vietnamese boats, sometimes we received orders to shoot and kill them on the spot and bring the only the boat to the island. In general when we captured less than 20 people, they ordered us to kill them on the spot. If we arrested more than 20 people, we had to send them to Ou Chheu Teal. To my knowledge, those who were sent to the shore were also killed later. Those who were captured and sent to Kampong Som were killed and buried under durian and coconut trees [...] A29: The orders were clear on whether they [the Vietnamese captured] were to be killed on the spot or sent ashore. If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978578, KH 00955510 [“they tied them up. If those were Yuons, they [Khmer Rouge] ordered us to kill them”].

1510 **D54/102** Ek Ni WRI, A34 [“Q: Did you know which unit was stationing in the orange farm? A34: No, I did not know clearly which unit was stationing in that place, but I knew that those soldiers whose task was to kill people were assigned to station in that orange farm. But after that place was selected to be used as the killing place, no one was allowed to go near it”]; **D54/23** Pak Sok WRI, A25, 35 [“Those [Vietnamese] who were captured and sent to Kampong Som were killed and buried under durian and coconut trees [...] Q: Why do you know that those they captured and sent to Kampong Som were killed and buried under the durian and coconut trees? A35: I heard it through military personnel working in Kampong Som. The military personnel working in Kampong Som belonged to Division 164. The captured, once brought to the Ou Chheu Teal Port in Kampong Som, were taken off the boat and put on trucks and taken away immediately”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015 10.41.42-10.45.27 [“regarding the killing, I did not know the exact site where they were executed. Besides Kampong Som, they were also killed at orange and durian plantations [...] majority of people who committed the killings came from the regiment where I worked [...] Those who were arrested, were taken by this Regiment 62 to an orange 13 plantation and a coconut plantation where the execution took place. Their dead bodies were used as fertiliser right there. [...] They were Thai and ethnic Vietnamese people”].

1511 **D2/17** In Saroeun alias In Ven WRI, A7, 10, 11, 43 [“During the Pol Pot period, the soldiers of Pol Pot took people to kill in the Durian plantation [...] A10: I saw Pol Pot soldiers took the Thais people to kill there. [...] A11: I saw Pol Pot soldiers tied them up and walked them through the water toward the shore. I heard that they were taken to be killed in the Durian plantation [...] A43: I could see them clearly. There was no obstruction. I could see them from the coconut plantation. Two to three days later, my father told me that they had arrested people to kill in the Durian plantation”]; **D54/18** Nou Saroeun alias Mea WRI, A33-44.

1512 **D2/6** Nhoun Chrong WRI, A40-43 [“Q: Can you explain us about the Durian plantation? A40: [...] I heard from other people saying that after they arrested people who had made mistakes, they sent them to that place where they used them as the fertilizer for the Durian trees [...] Q: When you said that they used them as the fertilizer, what did you mean? A41: It meant they took them to kill there. They killed and buried their [bodies] under the Durian trees as the fertilizer. Q: As for the Thais and Vietnamese fish men, after they had arrested them did they take them to be killed at that place also? A42: Yes, they took them to that place also [...] A43: They were the groups [troops] of the Regiment 62 whose base was in Ream. As for the Regiment 22, it had its base in Teuk Sap. So, the groups of the Regiment 62 were those who took people from Ream to kill in the Durian plantation”]; **D54/26** Pak Sok WRI, A11-13, 16 [“Q: Did you ever hear about a durian plantation in Ream near the coconut plantation? A11: Yes, I knew those locations. Many Vietnamese were killed at those locations [...] A12: To my knowledge, hundreds of Vietnamese were killed there. Q: What military unit was stationed at that plantation? A13: A battalion of about 150 military personnel of Regiment 62 were stationed there. The duty of those military members was to wait and receive the Vietnamese who had been captured and take them to be killed at the durian and coconut plantations. The durian, coconut, and orange plantations were near one another. Q: How did you know that the Vietnamese were taken to be killed there? A16: I learned that through the military who were working there. They told us that they had killed

many Vietnamese there and had buried the bodies under the durian trees as fertilizer”]; **D54/102** Ek Ny WRI, A29 [“The coconut plantation of Cheng Heng located between the end of the Kang Keng airfield and the mountain. West of the coconut plantation, at the foot of the mountain, was the location of the durian plantation where Ta Muth had taken the Thai people to kill and then buried the dead bodies under the durian trees as the fertilizer. If any Thai people want to look for the bones of their relatives now, they can go to look for them in that durian plantation. After they [Khmer Rouge] had captured two 1,400 horsepower and one 1,800 horsepower fishing boats of the Thai, they took all the Thai fishermen to kill in that place”]. *See also* **D2/16** Touch Soeuli alias Soeu Touch WRI, A32-33 [“Q: When we were doing site identifications two days ago, we drove the car along National Road 4. We drove northward to pass by the Kang Keng Airfield. In the car, I asked you if you ever heard about the location of the durian plantation, you told us that you had heard about it, and then you took us to drive the car to a location north of the Kang Keng Airfield, is it right? A32: I want to tell you that I did not know the location, but it was true that while we were in the car I told you that that plantation was on the left side. In fact there was no one told us about this, but we just heard about it through the word of mouth. I heard that the Thais and the Vietnamese, who had been arrested, were taken to kill in a place called the durian plantation. Q: Did you hear this story through the word of mouth between 1975 and 1979 from other soldiers in the Division 164? A33: I heard about this story after 1979 when we met together at the border between 1980 and 1981”].

1513 **D114/2** Lak Saphan WRI, A7 [“Q: You said previously that you could identify the bones at the durian plantations as those of Cambodian people, Thai fishermen and Vietnamese people. And you said that you could recognize the different bones in light of the clothes left there. Could you explain about the differences between their clothes? A7: The shirts and trousers of Cambodians were different from those of the Vietnamese. The clothes of the Thais were a range of colours. Most Cambodian during the Khmer Rouge regime dressed in black”].

1514 **D114/2** Lak Saphan WRI, A7, 13, 15 [“One evening during the Khmer Rouge regime, while I was walking back to the village from the dam construction site at Tuek Sab, I saw soldiers walking a group of people toward the Tuek Sab durian plantation along National Road 4. While the soldiers were walking the people, I heard them saying that these people were Thai fishermen who had been captured at sea. At that time, I did not know where they were taking those people. [...] Q: You have mentioned that you saw the Khmer Rouge walking people towards Tuek Sab. Do you remember when you saw this event? A13: During the rainy season in 1975. [...] Q: How many soldiers did you see walking those people? A15: Two young soldiers with rifles were walking four or five prisoners”].

1515 **D114/2** Lak Saphan WRI, A7 [“However, after 1979, when I arrived at Tuek Sab durian plantation, I saw some bones and clothes there, which has led me to believe that all those Thai people were taken to be finished off at the Tuek Sab durian plantation”].

1516 **D54/71** Mut Mao WRI, A60 [“This event happened at the end of 1978, [around] two or three months before the arrival of the Vietnamese”].

1517 **D54/71** Mut Mao WRI, A56, 59 [“I saw three Yuon being walked: an old lady and two adolescents perhaps over ten years old. [...] Q: How old was that old Vietnamese lady? A59: She was almost 70 years old”].

1518 **D54/71** Mut Mao WRI, A39 [“One night, I saw them take an old Yon lady and two or three children to be killed in the Inner Office compound. Those children were crying and screaming”].

1519 **D54/71** Mut Mao WRI, A61 [“Q: Did you know where they brought those Yuon from? A61: No, I did not, but as I heard from those messengers, those Vietnamese had been captured along with their boat from the sea”].

1520 **D54/71** Mut Mao WRI, A53, 56, 63 [“Q: How far from the house you were staying to Meas Mut’s house? A53: They about 50 to 60 metres apart. First was his house; next was the kitchen; and then the house I stayed at. [...] A56: I saw the soldiers walking them one at a time. I saw three Yuon being walked: one old lady and two adolescents perhaps over ten years old. That old lady was killed about 30 metres from my house; the two adolescents were killed about 100 metres from my house. Q: Did they use that place for killing other people? A63: No, to my knowledge, they did not kill any other people at that place”].

1521 **D54/71** Mut Mao WRI, A64-65 [“Q: You said that they killed the old Vietnamese lady at about 30 metres from your house. Did you ever go to see that pit afterwards? A64: Because that place was 30 metres behind my house, I remember that I went there and saw two or three pits. Q: Could you see if those pits were mass graves or individual graves? A65: Each pit was small for individual corpses. I saw only two or three pits near the jackfruit and mango trees”].

1522 **D54/102** Ek Ny WRI, A41.

- 1523 **D54/102** Ek Ny WRI, A29, 41-44.
- 1524 **D2/6** Nhoun Chrong WRI, A40-44 ["Q: Can you explain us about the Durian plantation? A40: Although T did not see it, T heard from other people saying that after they arrested people who had made mistakes, they sent them to that place where they used them as the fertilizer for the Durian trees. That place was the secret place where people were not allowed to go in. Q: When you said that they used them as the fertilizer, what did you mean? A41: It meant they took them to kill there. They killed and buried their [bodies] under the Durian trees as the fertilizer. Q: As for the Thais and Vietnamese fish men, after they had arrested them did they take them to be killed at that place also? A42: Yes, they took them to that place also [...] they were the arrested Vietnamese and Thais fish men"].
- 1525 **D54/18** Nou Saroeun alias Mea WRI, A33-43.
- 1526 **D54/18** Nou Saroeun alias Mea WRI, A33-43.
- 1527 **D54/18** Nou Saroeun alias Mea WRI, A43-44.
- 1528 **D54/120** Prom Kem WRI, A4 ["Q: Can you explain what you knew or heard about the Thai fishermen captured by the Khmer Rouge back then? A4: That was during 1976. Other villagers and I were assigned to cut kaong-kang trees to make charcoal. Persons at the site where they sent me to cut kaongkang trees told me and my colleagues that a 'Be-Eu' type Thai fishing boat had been captured by the Khmer Rouge military, and ten Thai fisherman were aboard. That boat was brought to be moored at Moat Peam, and the Thai fisherman were taken off the boat, sent ashore, and stripped of their clothing, leaving them only in their undershorts. Their arms were tied with hammock string into lines, and they were taken to the Durian Plantation. Those villagers assumed that those Thai fisherman had certainly and without fail been killed and placed at the foot of Durian trees as fertilizer"].
- 1529 **D54/120** Prom Kem WRI, A4 ["Q: Can you explain what you knew or heard about the Thai fishermen captured by the Khmer Rouge back then? A4: That was during 1976. Other villagers and I were assigned to cut kaong-kang trees to make charcoal. Persons at the site where they sent me to cut kaongkang trees told me and my colleagues that a "Be-Eu" type Thai fishing boat had been captured by the Khmer Rouge military, and ten Thai fisherman were aboard. That boat was brought to be moored at Moat Peam, and the Thai fisherman were taken off the boat, sent ashore, and stripped of their clothing, leaving them only in their undershorts. Their arms were tied with hammock string into lines, and they were taken to the Durian Plantation. Those villagers assumed that those Thai fisherman had certainly and without fail been killed and placed at the foot of Durian trees as fertilizer"].
- 1530 **D1.3.13.8** Pen Sarin OCP Statement, EN 002175661-62 ["The witness worked on the naval base for about 1 week in 1976, and during that time he saw two lots of Thai fishermen (15-20 in number each time) taken into one of the barracks buildings on the base. They were tied up when taken into the building. These fishermen had been captured off Tang and Rong Islands. He believed that these fishermen were executed because they had been caught fishing in DK waters"].
- 1531 **D1.3.13.8** Pen Sarin OCP Statement, EN 002175661-62 ["The witness worked on the naval base for about 1 week in 1976, and during that time he saw two lots of Thai fishermen (15-20 in number each time) taken into one of the barracks buildings on the base. They were tied up when taken into the building. These fishermen had been captured off Tang and Rong Islands. He believed that these fishermen were executed because they had been caught fishing in DK waters"].
- 1532 **D1.3.28.140** S-21 Prisoner List containing names of prisoners categorized as American and Vietnamese spies, 26 Nov 1978, EN 01236389, KH 00088752, FR 01187845 [noting that two Americans, Christopher Edwards Delance and Michael Scott Deeds, had been received at S-21 from Kampong Som on 26 Nov 1978]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147526-27, KH 00146477-80 ["Q: Were there just four foreigners at S-21? R: Yes, particularly the four foreigners, Nuon Chea ordered them to be burned to ashes using vehicle tires [...] there was an Englishman, an American, maybe an Australian, and another nationality I cannot remember [...] They had entered Cambodian waters, and the naval unit arrested them and sent them to Nuon Chea. Q: The Co-Prosecutor asked: Were there any other foreigners, Cham, Vietnamese, or were there just those four? R: By foreigners, I meant Caucasians"]; **D114/145.2.15** S-21 Biography of Daing Yaing Thann (No. 132, Toek Sap, Daing Yaing Thann, fisherman, arrested the 12nd of December 1976 around Prek Lek II and was sent to S-21 on May 6, 1977); **D4.1.5** Analytical Report by DC-Cam entitled "List of Foreigners Smashed at S-21" (comprised the names of 60 Thai, mostly fishermen and students arrested in Kampong Som between May 7, 1976 and 27 November 1976. They were all killed. It also comprises the names of 113 Vietnamese, mostly "spy" arrested in various places (Kampong Som, Kampot, Southwest, Region 25, Svay Rieng, Kratie, Mondul Kiri and Vietnam) between April 18, 1978 and November 18, 1978.

They were all killed with the exception of 5 who died of disease); **D114/145.2.1** S-21 Biographies of Le Vann Thoeur, Ngeang Vann Soeun, Ngeang Vann Ngok, Nos 26, 27, 28, 5 May 1978; **D114/145.2.11** S-21 Biographies of Troeng Yaing Kve, Chim Yaing Keu, Chim Yaing Yop, Chim Yaing Koeng, Kvieng Din Y, Nos 121, 122, 123, 124, 125, Toek Sap, 6 May 1976; **D114/145.2.12** S-21 Biographies of Kvieng Thy Thoeung, Kvieng Hiv Lang, Choeng Thann Hoeurng, Nos 126, 127, 128, Toek Sap, 6 May 1976; **D114/145.2.13** S-21 Biographies of Le Yaing Hay, Kim Ngok Toeurng, Nos 129, 130, Toek Sap, 6 May 1976; **D114/145.2.14** S-21 Biography of Pham Yaing Thann (Phann), No. 131, Toek Sap, 12 Nov 1975; **D114/145.2.15** S-21 Biography of Daing Yaing Thann, No. 132, Toek Sap, 12 Dec 1976; **D114/145.2.16** S-21 Confession of Lor Eang Kong, No. 134, 17 Sep 1978; **D114/145.2.17** S-21 Report based on the confessions of Vinh Minh, Chov Vang Le, Vin Phy Long, Nos 140, 141, 142, 4 Apr 1978; **D114/145.2.18** S-21 Confession of Ngeang (Vieng) Thanh Kvang, No. 155, 22 March 1978; **D114/145.2.192** S-21 Confession of Vinh Minh Chov, No. 162, 25 Mar 1978; **D11/2** Rob Hamill CPA, EN 00681117-18 [the Applicant said that his brother (Kerry Hamill) and John Dewhirst “were shackled and blindfolded then taken to a cinema in Sihanoukville where they were held for a day or two before being transferred to Tuol Sleng prison (S-21) in Phnom Penh. [...] At Tuol Sleng both men were subjected to interrogation and torture including electric shock administration, most probably at the hands of the chief interrogator, comrade Chan. Eventually both men were forced to sign confessions stating that they were CIA agents.” The Applicant assumed that approximately two months after being captured, his brother signed his confession and was killed. The Applicant did not know how his brother was killed but speculates that he was “blind folded, taken out of the S21 compound to a pre-dug trench, made to kneel down beside it, hit over the head with a metal bar, his throat slit, then buried [...] if he was lucky] [...] There were accounts of two foreigners put into car tyres which were then covered in petrol and set ablaze”].

1533

D59/1/1.9a Lay Bunhak DC-Cam Statement, EN 00963735-37, KH 00926467-69 [“They sent the captive ashore but I don’t know where inland it was. [...] They were sent to the Embassy which was still operating. They would send Thai nationals to the Thai Embassy and the Vietnamese to the Vietnamese Embassy. [...] In Phnom Penh. Q: Didn’t they send them to any port before the Division Headquarter? A: To the large port [...] at Riem. [...] They trucked the captive away [but I] don’t know their destination. [...] I have never witnessed it personally because it was a task of the red-arm group. [...] Q: Were those trucks from Phnom Penh or from the city or belonging to the Navy? A: They were trucks from the Headquarter and also from Phnom Penh”]; **D1.3.28.140** S-21 Prisoner List containing names of prisoners categorized as American and Vietnamese spies, 26 Nov 1978, EN 01236389, KH 00088752, FR 01187845 [noting that two Americans, Christopher Edwards Delance and Michael Scott Deeds, had been received at S-21 from Kampong Som on 26 Nov 1978]; **D54/87** Prum Sarat WRI, A135, 137, 144 [“Q: You stated in the interview with the Documentation Center of Cambodia that the Vietnamese soldiers captured by Division 164 at sea were sent to the division, which in turn sent them to S-21. Is this information accurate? A135: Yes, I would like to confirm this information is accurate because I heard from my friends/colleagues in Division 164 that they sent the arrestees to Phnom Penh. I believe that during that period what they told me was true. For example, I saw three strangers in a house at the division. I asked my friend who they were. My friend told me that the last night they had captured three Vietnamese. I asked him where they were captured. He replied that they were captured at Koh Poulo Wai Island. The next morning, when I asked where all the Vietnamese prisoners had been taken, my friend said they had been taken to Phnom Penh. [...] Q: In your interview with the Documentation Center of Cambodia, you stated that the Vietnamese soldiers captured at sea by Division 164 were sent to the division which in turn sent them to S-21. Did you know that both Vietnamese civilians and soldiers were sent there? A137: I knew that they also sent the civilians to Phnom Penh, but I did not know how they were treated. [...] Q: Do you know who decided to send the captured soldiers and civilians to S-21? A144: As far as I know Meas Muth reported to Phnom Penh, and upon receiving the report, staff in Phnom Penh sent[t] a vehicle to Kampong Som to take them to Phnom Penh”]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147526-27, KH 00146477-80 [“Q: Why did they arrest those foreigners? [...] A: They had entered Cambodian waters, and the naval unit arrested them and sent them to Nuon Chea”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A28 [“I thought that Wat En Ta Nhien Pagoda was not the permanent detention place for the prisoner. It was the provisional detention facility for those who were suspected or allegedly charged with various offenses. After they found that the persons were guilty, they would send them to Phnom Penh or other places”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974217, KH 00926394 [“Q: What did they tell you? A: They said the security officers from the S-21 would be responsible for any minor and major issues. [...] I did not know where they sent those people to. Q: Okay! It meant that we were not responsible for

sending them to Phnom Penh. The persons from Phnom Penh came to take them. A: Sure! We had no rights to call those from S-21. [...] If they were arrested at Koh Tang island, the ones in Kampong Som would call the ones in Phnom Penh and the persons from Phnom Penh would come to take them. [...] Q: But you knew the ones from Phnom Penh were called to take those people. They did not keep the arrested persons at the island for a long time? A: Definitely!”, EN 00974222, KH 00926399 [“Q: Regarding the intelligence agents coming to our islands, was there any instruction from the division? A: We were instructed to arrest them, and sent them to the S-21. Q: Did the division instruct you to send them to the S-21? A: Sure! I was instructed so. Q: The arrested intelligence agents would be sent to the S-21. But were they first sent straight to Ou Chheu Teal or Ream? Were they sent to the division in Kampong Som or they were sent to Ream and then further sent to the division by lorry? A: As I told you, we could hardly know whether they were sent to Ream or Kampong Som because we did not see them all the time. We just saw them and they were taken away”]; **D37** Robert Hamill WRI, EN 00791866-67, KH 00945764 [“I have met Meas Muth at his home in 2010. [...] I asked him what happened to foreigners who were arrested at sea [off] the coast. He answered that they should not be beaten and should be transferred to S-21”].

1534 **D54/98** Heang Ret WRI, A68 [“Q: After the seizure of the Vietnamese boats, where were the people on the boats sent? A68: I only know that the Vietnamese fishermen sent to the port were transported further by trucks of Division 164. However, I do not know where they were sent”].

1535 **D114/43** Suos Thy WRI, A17-19 [“Q: Do you remember when it was in that regime that you received Vietnamese families from Kampong Som? How often did you receive Vietnamese families? A17: In order for me to know the exact times, I would have to see my documents. But I can assume that I received the Vietnamese families in the middle of the Khmer Rouge regime. I remember that I received them once everyone or two months. It was not as often as receiving ordinary prisoners. The receiving of those Vietnamese people happened infrequently. I do not remember how often I received Vietnamese families, or if receiving the Vietnamese families was during later stages. Q: In your previous answer of EI/55.I, page 44, Lines 11-12, you said, ‘There were no Vietnamese prisoners of war during 1976 and 1977. Only after the conflict started were any prisoners of war received.’ Can you explain this point relating to what you have just said about Vietnamese prisoners? A18: This is a different episode, and I would like to clarify again what I said before. The previous answer referred to soldiers captured from any provinces close to Vietnam border. What I said above refers to just the Vietnamese families captured at sea that I received from Kampong Som. Q: It is difficult for us to understand if the Vietnamese people captured at sea could know and tell you when they were first captured and were sent to Kampong Som. How they could tell you about this? Did you know how they came from Kampong Som? A19: The external security guards who brought in those Vietnamese told me that those Vietnamese were brought in from Kampong Som. I just recorded the names of those Vietnamese”]; **D114/41** Suos Thy WRI, A5-A9 [“Q: According to our reading some lists of Office S-21, we noticed that it was written: ‘Sent from Kampong Som Port’ or only ‘Kampong Som’. Did you know why they did it this way? A5: At that time, they just identified the zones from which they sent prisoners, that is, Northwest Zone, Southwest Zone, and so on. If they determined that an individual person was from Kampong Som, they just mentioned the place in general, not the specific district or commune. They just wanted to know where the original place was. Hor took care of the lists from Duch. What I did was to count and record the numbers and names of prisoners so as to know about how many prisoners entered and how many exited. After that, I handed over those lists to Hor the following morning. Q: But, why was the difference between ‘Kampong Som’ and ‘Kampong Som Port’ because these two places were in the same zone and section? Could you explain this to us? A6: You may not understand the difference between Kampong Som and Kampong Som Port. Let me explain it to you. When they wrote “Kampong Som Port,” that meant workers and staff who worked at Kampong Som Port who were arrested. When they wrote “Kampong Som,” that meant Khmer people and foreigners soldiers captured in Kampong Som at sea. It also meant people who fled their country and were captured. Q: What do you mean by people who fled their country? Do you mean to refer to people fleeing from Cambodia or from another country? A7: Both. I mean to refer to people who tried to flee from Cambodia and were captured, and also I refer to people who entered Cambodian territorial waters and were captured. Q: How did you know that? A8: I knew it because I questioned prisoners to find out their positions and their jobs, and they said that they worked at the port. When questioning prisoners, I asked them their names, positions, and which Zone they were from. Q: How did you know that some prisoners were arrested because they entered Cambodian territorial waters? A9: Meaning they were captured at sea by the military. They always wrote Kampong Som, even though the sea also bounded other provinces of Cambodia. Those captured were always marked as being from Kampong Som. And the reason I knew that was Hor

- person told me”]; **D114/42** Suos Thy WRI, A21-26 [“Q: How could you communicate with the prisoners captured at sea, such as the Thai and Vietnamese fishermen? A21: I never encountered any Thai fishermen. I only encountered Vietnamese fishermen”].**D234/2.1.93** Prum Sarat, T. 27 January 2016 09.51.04-09.52.48 [“On the issue of -- on the issue of sending the Vietnamese from the sea to S-21, [...] it was reported that Vietnamese or ‘Yvon’ were arrested -- had been arrested [...] And we were instructed to be highly vigilant because we could not know if they planned to fight or not”]
- 1536 **D54/87** Prum Sarat WRI, A128-129 [“Q: In your interview with the Documentation Center of Cambodia, on page 54 (English version) and on page 45 (Khmer version), you stated: ‘During a period of two years, the military captured Vietnamese almost every month coming to Koh Tang and Koh Poulo Wai islands.’ You added: ‘Many of them were sent to the division after their arrest, and later the division sent them to S-21.’ Can you elaborate on that? A129: I would like to confirm that this information is accurate. I learned this information via the communication radio at my place at the time. Q: Can you confirm that this information is accurate? A130: I would like to confirm that these events did happen at the given time. It was an event that I heard via the communication radio. When the boat was seized, the people on the island told my ship to be vigilant, indicating that Vietnamese boats had been seized on various islands”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 09.51.04-09.52.48 [“On the issue of -- on the issue of sending the Vietnamese from the sea to S-21, [...] it was reported that Vietnamese or ‘Yvon’ were arrested -- had been arrested [...] And we were instructed to be highly vigilant because we could not know if they planned to fight or not”].
- 1537 **D114/43** Suos Thy WRI, A12 [“Q: Now let us change the topic to talk about receiving Vietnamese fishermen from Kampong Som. Previously, you said that as for the people who were captured at sea, they always marked ‘Kampong Som’ in the record even if they were captured at sea off another province. Is this correct? A12: Yes, it is”]; **D54/23** Pak Sok WRI, A29 [“If those persons captured were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”].
- 1538 **D1.3.26.5** BBC/SWB Report, *Confession of a captured SRV Sailor*, 3 Feb 1978, EN S 00008894-96, KH 00224832-36, FR 00292683-85 [Reports a 29 Jan 1978 Phnom Penh radio broadcast of the confession by Vu Dinh Ngo]; **D1.3.25.40** FBIS, *Cambodia Reports Continued Vietnamese Bombing*, 28 Mar 1978.
- 1539 **D1.3.26.7** BBC/SWB Report, *Confession by Vietnamese Spy*, 4 Apr 1978, EN S 00010459, KH 00225133, FR 00305294-95 [Reports a 27 March 1978 Phnom Penh radio broadcast of a confession by a Vietnamese private (Chiu Ly) who is said to have been captured on 10 February 1978 on Poulo Wai island and was supposedly recruited as a Vietnamese intelligence agent by the police chief of Kien Gian Province]. **D1.3.26.5** BBC/SWB Report, *Confession of a captured SRV Sailor*, 3 Feb 1978, EN S 00008894-96, KH 00224832-36, FR 00292683-85 [Reports a 29 Jan 1978 Phnom Penh radio broadcast of the confession by Vu Dinh Ngo]; **D1.3.25.40** FBIS, *Cambodia Reports Continued Vietnamese Bombing*, 28 Mar 1978.
- 1540 **D114/43** Suos Thy WRI, A13 [“Q: Could you tell us what the situation was when you received the Vietnamese fishermen from Kampong Som? A13: The Vietnamese fishermen were always captured in their family boats. These people were brought to me in families, meaning they were composed of men, women, the elderly, adolescents, and children”].
- 1541 **D114/43** Suos Thy WRI, A20 [“Q: How about children and babies? A20: I just selectively recorded the names of elderly people and children above 15 years of age. As for those younger than that, I did not record them”].
- 1542 **D114/43** Suos Thy WRI, A21-23 [“Q: You described the Vietnamese with their children. As I listen, they do not seem to have been ordinary fishermen. How did you know they were fishermen? A21: Because we did not know the Vietnamese language to question them about details, Hor decided to list those Vietnamese families who came from Kampong Som as fishermen. Q: Now we would like to present to you document D1.3.28.139, English EN 00181757 to 00181764 and Khmer EN 00021210 and 00021211. We want you to focus only on the Khmer language, EN 00021210, Numbers 17, 18, and 19. Those Vietnamese came from Kampong Som and were designated as Vietnamese spies. A22: This is my list. The Vietnamese recorded on this list were not the Vietnamese families that I mentioned earlier. Those Vietnamese people were arrested by the Kampong Som military. Q: Why did you designate them as spies; and why were the families received from Kampong Som designated fishermen? A23: Again, Hor was the one who said that we had no means to find out who those Vietnamese were when they arrived, so they were designated Vietnamese spies. Those people were always sent to be interrogated, but the Vietnamese families were not interrogated. I concluded that those families were not detained at Office S-21 for long, and they were taken to be killed shortly afterwards”].

- 1543 **D1.3.32.21** Kork Sras WRI, EN 00705430 [“Q: What happened to all those prisoners? A: All those prisoners were interrogated and sent to be killed at Boeng Cheung Ek. Duch gave the orders to take them to be killed, and the execution team transported them by truck and killed them. I knew this because a truck driver who took them to Cheung Ek whispered it to me. I had heard and known that they took them to Cheung Ek since I began working as a guard at S.21. Transport to Cheung Ek was carried out frequently. The prisoners who were [former] important cadres were killed outside the S-21 fence (south and west), but were few in numbers. The Indian, Thai, and Vietnamese prisoners were killed outside the S.21 compound (south and west)”].
- 1544 **D54/87** Prum Sarat WRI, A129 [“Q: In your interview with the Documentation Center of Cambodia, on page 54 (English version) and on page 45 (Khmer version), you stated: “During a period of two years, the military captured Vietnamese almost every month coming to Koh Tang and Koh Poulo Wai islands.” You added: “Many of them were sent to the division after their arrest, and later the division sent them to S- 21.” Can you elaborate on that? A129: I would like to confirm that this information is accurate. I learned this information via the communication radio at my place at the time”].
- 1545 **D54/87** Prum Sarat WRI, A129 [“Q: In your interview with the Documentation Center of Cambodia, on page 54 (English version) and on page 45 (Khmer version), you stated: “During a period of two years, the military captured Vietnamese almost every month coming to Koh Tang and Koh Poulo Wai islands.” You added: “Many of them were sent to the division after their arrest, and later the division sent them to S- 21.” Can you elaborate on that? A129: I would like to confirm that this information is accurate. I learned this information via the communication radio at my place at the time”].
- 1546 *See Annex D.6. See also D4.1.5* Analytical Report by DC-Cam entitled “List of Foreigners Smashed at S-21” [comprised the names of 60 Thai, mostly fishermen and students arrested in Kampong Som between May 7, 1976 and 27 November 1976. They were all killed]; **D1.3.28.11** S-21 Prisoner List containing names of prisoners categorized as foreigners, EN 00181627-28; **D114/42** Suos Thy WRI, A21-26 [“Q: How could you communicate with the prisoners captured at sea, such as the Thai and Vietnamese fishermen? A21: I never encountered any Thai fishermen. I only encountered Vietnamese fishermen. I learnt some basic words and phrases from others who could speak Vietnamese, and I noted what they had told me. I would like to explain that I wrote the Vietnamese names in Khmer. I remember that I had a Cambodian prisoner whom I asked to help interpret when I questioned a Vietnamese prisoner. That Cambodian prisoner was not a staff member of our office. I think I received that interpretation assistance in the middle of the Khmer Rouge regime. That prisoner was detained in a special cell reserved for skilled workers. I do not remember the prisoner’s name or when the prisoner was killed. Q: Are you sure that you never encountered any Thai fisherman? A22: No, I never encountered them. Q: I would like to show you document D1.3.28.11 English ERN 00181627. Can you help explain this document? This document lists 31 Thai fishermen entered on 7 May 1976. A23: I do not know about this name list. Had I been the one who prepared this list, I would remember it. I do not have any problem in telling you, but this list was not prepared by me. I do not know, but I think the list might have originated from the Interrogation Office. I would also like to clarify that if I had been the one who made the list, I would have needed a Thai translator to help record this; however, I never had any Thai translator. Q: Why were you not the one who made the list? A24: Because Duch’s office could prepare their own lists, and they would not send the lists to me. Q: This point seems to be contrary to what you said in your testimony. In the extract from E1/55.1, Page 17, Lines 13-22. We would like the interpreter to read this extract in which you said that the important prisoners and foreigners were sent to a special prison, that Hor was the one who prepared the list of prisoners in the special prison, and that later Hor would give the list to you for you to record on your list. Why do you not know about the name list of those Thai fishermen? A25: For the name lists of important prisoners, my upper echelon had the right not to give the lists to me. I am sure that I never saw this name list. I may have also forgotten this list because it has been such a long time ago. But I assuredly tell you the truth about what I remember. I do not have any problem with my memory in telling you about the Vietnamese, so it would be no different for me to tell you about the Thais. Q: Did you ever see Thais in Office S-21? A26: No”].
- 1547 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 15.08.59, 15.13.31-15.17.28; **D113/277.6** Kaing Guek Eav, T. 15 Jun 2016, 10.06.52; **D98/1.2.23** Kaing Guek Eav, T. 3 Apr 2012, 09.33.00-09.35.23; **D98/3.1.147** Kaing Guek Eav, T. 2 Apr 2012, 14.29.20-14.35.52 [regarding foreigners sent to S-21: “The smash was to be conducted in a formal burning to ash [...] I was following the order from Nuon Chea, and I implemented the order [...] Q: And why was it necessary to burn them to ashes? A: The reason was that no one would be able to trace – to trace them so no bones were left behind”]; **D4.1.1117** Kaing Guek Eav WRI, EN 00154194; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147526.

- 1548 **D4.1.245** Prak Khan WRI, EN 00161555-56 [“Q: As for the Vietnamese or Thai prisoners or other foreigners, did they have a special unit for interrogating them? A: I saw only Chan, Pon4, Meng, who were professors and who knew many languages, and sometimes Duch interrogated [them] personally. Q: What nationalities did Duch interrogate? A: I saw what seemed to be an Australian, an American; it seemed one was David Scott, an American. Q: Duch interrogated [them] himself? A: [I] saw Duch, Chan, because in interrogating foreigners they were not taken outside. That is, they were interrogated publicly because no one could understand. Q: So you saw this with your own eyes? A: I saw it with my own eyes. I had taken a prisoner to put away. I saw the interrogation. I stood and watched, but I could not understand, since they interrogated in English. His name was David Scott, it was written on his shirt, on carved wood buttons, and I could see it, that name was carved on every button. Q: When you stood and listened did you see Duch interrogate that prisoner? A: I saw Duch interrogate and kick [him], and when he [Duch] asked he answered that he was an American. One was an Australian. They came in a cement boat with three months’ supply of food. They came to spy on Cambodia. Q: They said it was a cement boat? A: During interrogation they told Chan they had been in a cement boat, those two did. And when they were taken to be killed, I heard through Soeur that they were taken in shackles, their arms tied behind their backs, and placed in the middle of the road at Tuol Tumpoung, placed at the intersection, and they put old car tires halfway up around their bodies, poured gasoline, and burned them at once. Q: Did you see it? A: I did not see it, but Soeur told me, Soeur in Kampong Chhnang, Kampong Tralach. Q: Soeur was a guard too? Q: He was in the defense unit right at the entrance. Q: Were there different techniques for Cambodians and foreigners? A: The interrogations were not the same, because foreign prisoners were questioned in public, there was no secrecy, because no one could understand, and they were not interrogated for a long time, not many times, so it was unlike the Cambodians. For them, they were interrogated one or two days and then they disappeared, that was the end of it”].
- 1549 See **VIII.D. S-21 Security Centre; D114/230.1.1** OCIJ S-21 Prisoner List [identifying Nos 12719, 12720, 13021 and 13022 as Westerners who entered S-21 in 1978]; **D11/2.3** S-21 Confession of John Dawson Dewhirst, 13 Oct 1978, EN 00681102.
- 1550 See **VIII.D. S-21 Security Centre; D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.44.37-09.47.53 [“There were Vietnamese, American and Australian prisoners whom I used to see [...] In relation to American and Australian prisoners, I could recognize one foreign prisoner. The name was displayed on his denim shirt, David Scott”]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978577, KH 00955508 [“I saw them arresting one American [...] He wore casual clothes [...] He sometimes wore a vest [...] His hair was red [...] he said he was 25 years old. Not older than that [...] His boat was like a concrete house. Its mast was as tall as a coconut tree [...] They captured him from the Koh Poulo Wai Island [...] In early [19]76”]. See also **D11/2.3** S-21 Confession of John Dawson Dewhirst, 13 Oct 1978, EN 00681102; **D1.3.28.140** S-21 Prisoner List, EN 01236389, KH 00088752, FR 01187845 [identifying No. 1 as Christopher Delance and No. 2 as Michael Scott Deeds]; **D1.3.33.3** Kaing Guek Eav alias Duch WRI, EN 00147526-27, KH 00146488 [“Q: Why did they arrest those foreigners? What had they come to do? A: They had entered Cambodian waters, and the naval unit arrested them and sent them to Nuon Chea [...] by foreigners, I meant Caucasians”]; **D54/22** WRIA, 17 Jul 2013, EN 00947622, KH 01002678 [Conversation with Sun Yiv about the detained yachtsmen: “The yachtsmen he described as being tall, white Caucasian, being rich, being tourists [...] He remembered he saw only 2 but was told there were 3. They were not beaten or tied up. At that time they appeared in normal condition”]; **D114/58** Som Saom WRI, A2-4 [“Q: Do you know of other cases of arrests of the Westerners on boats? A2: I had heard of a sailboat being captured, but I do not want to tell you about this because it was just what I had heard from others [...] A3: At that time, there was a Navy Port at Au Chhoeur Teal Beach. The event took place when I went to study at Kampong Som. I heard the information from Mr. Moeun, who was the overall chief of the ships and vessels at Au Chhoeur Teal Beach [...] A4: Moeun said that a sailboat had been captured at sea and sent to Au Chhoeur Teal Beach. I am not sure where the sailboat was from”]; **D4.1.378** Kung Phai WRI, EN 00163633-34 [“Then I took rice to one of the three, and saw Duch interrogating one foreign prisoner, a man with long curly red hair down to his shoulders, white skin, with chest hair, and wearing shorts. Before Duch interrogated this person, he was wearing a short-sleeved camouflage T-shirt”]; **D114/301.1** Photograph of David Lloyd Scott, Australian, EN P 00005293; **D114/301.3** Photograph of Ronald Keith Dean, EN P 00525273.
- 1551 **D98/3.1.85** Kaing Guek Eav alias Duch, T. 29 Apr 2009, 15.37.06-15.39.11 [“foreigners [...] were detained and interrogated at the special prison”]; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 14.42.48-14.45.09 [“Western detainees were not going through my location. They were sent to be detained straight at the special prison”].
- 1552 **D234/2.1.116** Him Huy, T. 4 May 2016, 15.15.53-15.18.40 [discussing execution of two Westerners: “They

were taken and executed at the road to the north of the compound”].

1553 **D114/277.3** Kaing Guek Eav alias Duch, T. 9 Jun 2016, 15.08.59 [regarding Westerners at S-21: “they were smashed per instructions. To smash here means they were burned with tires, car tires, so that there was no bone left behind”], 15.13.31-15.17.28 [Duch instructed by Nuon Chea that “the long nose people had to be smashed and that they had to be burned completely so that there was no evidence left behind”]; **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 10.06.52; **D98/3.1.19** Kaing Guek Eav, T. 3 Apr 2012, 09.33.00-09.35.23; **D98/3.1.147** Kaing Guek Eav, T. 2 Apr 2012, 14.29.20-14.35.52; **D4.1.1117** Kaing Guek Eav WRI, EN 00154194; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147526; **D234/2.1.116** Him Huy, T. 4 May 2016, 15.15.53-15.18.40 [“Ta Duch ordered Ta Hor not to bury the bodies of foreigners and that their bodies had to be burned. At that time I was on guard in the vicinity [...] I saw the burning of the dead bodies”]; **D98/3.1.54** Him Huy, T. 16 July 2009, 13.45.42-13.49.27 [“I saw they were burned with car tires”]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.49.05; **D98/3.1.212** Prak Khan, T. 21 July 2009, 14.02.59-14.06.41; **D98/3.1.19** Cheam Sour, T. 5 Aug 2009, 09.39.32-09.49.25

1554 **D54/25** Pak Sok WRI, A10-A12 [“The number of captured totalled thousands as far as I know. Each month they consisted of 10 to 50 persons. Q: [...] between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? A11: Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland [...] A12: For my battalion, I find it hard to say. Captures took place many times a year [...] For my battalion, I can recall that sometimes, in some months, we carried out three to four capture operations a month, but sometimes we did not make a capture for two or three months. As for me, I participated in three capture incidents”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974208-09 [“Q: How many of them were arrested per month? Sarat: At least two or three persons were arrested. Q: You started to patrol since late 1976. Did you arrest them continuously? Sarat: Definitely! Q: Were most of them Vietnamese? Sarat: Yes, they were Vietnamese”]; **D1.3.13.8** OCP Pen Sarin OCP Statement, EN 002175661-62 [“The witness worked on the naval base for about 1 week in 1976, and during that time he saw two lots of Thai fishermen (15-20 in number each time) taken into one of the barracks buildings on the base. They were tied up when taken into the building. These fishermen had been captured off Tang and Rong Islands. He believed that these fishermen were executed because they had been caught fishing in DK waters”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 09.53.36-09.58.05 [“if there were boats from Thailand, there was orders of arrest, and if there was such an order, I went to make an arrest.”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 10.45.42-10.47.35 [“our boat was a military patrol boat, so if they entered the waters, then they could face the sinking or the arrest from us. So I think the Vietnamese people were well aware of what would happen if they encountered with the military ship like ours”].

1555 **D114/282** Ek Ny WRI, A61 [“Q: If you state the number, what is the minimum and maximum number of people killed? A61: Regarding the minimum number: it must not have been fewer than 1,200 or 1,300 people. Regarding the Yuon boats which tried to flee out at sea, three boats escaped at a time and in one boat there were around 50 to 60 people; and they always captured such boats”]. *See contra* **D54/98** Heang Ret WRI, A64-66, 76 [“Q: According to your interview with the Documentation Center of Cambodia, you said, ‘The soldiers in Division 164 captured Vietnamese boats.’ Did captures of Vietnamese boats happen frequently? A64: That was not regular. Sometimes, one boat a month was captured, and sometimes one boat was captured every two or three months. Q: Can you clarify how many Vietnamese boats were captured by the soldiers of Division 164 per year? A65: I do not know the number of boats seized per year because the seizures were done at night by the patrol group. After the seizures, they would tow the boats to the port. For me, I was aboard ship sometimes anchored at different places such as Koh Rong Island, Ream, and Stung Hav. Therefore, I could not know the exact number [...] Q: According to your interview with the Documentation Center of Cambodia, you said, ‘Thai boats and Thai people on the boats were also arrested by the Navy.’ Did that happen frequently? A 76: That happened occasionally. As I remember, one Thai boat was seized in six months”].

1556 **D114/282** Ek Ny WRI, A58-60 [“Q: According to your estimation, approximately how many people were arrested and killed at sea by naval forces during that regime? A58: Not hundreds, but thousands, of people were killed. Q: According to your estimate, thousands of people ... (Investigator’s note: The witness answered before the question was finished; it seemed that he understood the question) A59: I tell you about only one event in which Thai people were arrested. There were four Thai boats: one 1,800 H.P. boat, one 1,700 H.P. boat and two 1,400 H.P. boats. No fewer than 50 people were on one 1,800 H.P. boat. On such a boat, they did not use ice, but freezers, and such a boat could stay at sea for months. Thus, according to my estimation,

there were at least 150 people on the four boats. Q: During that regime, when boats were captured, thousands of people on the boats were taken to be killed. According to your estimation, how many thousands of people were killed? A60: According to my estimation, around over 1,000 people were killed. I am not saying that many thousands of people were killed”].

1557 **D54/82** Hing Uch WRI, A34 [“Q: Did Regiment 62 seize the foreign boats frequently? A34: I knew about this problem when I went to stay on Koh Tang Island. They captured foreign boats from time to time. During that time, Thai boats were seized once or twice. Vietnamese boats were seized three times. I was on Koh Tang Island from the late 1977 until the Vietnamese came”].

1558 **D114/11** Neak Yoeun WRI, A13-14 [“Q: When you worked aboard ship, how often did you hear or know about the capture of Yuon boats? A13 I heard of this matter once every two or three months. Q: Do you hear how big the area was where the boats were frequently captured? A14: Mostly they referred to the southern part of Cambodian waters. I did not know how big the area we could communicate with one another by radio was. I did not know about that. I only heard about some of these events, because we performed our different duties in separate sections. After I heard about these events by radio, I saw the PGP boats returning with the captured boats in tow”].

1559 **D54/109** Sao Sam WRI, A16 [“Q: How many times each month did you see they captured boats, approximately? A16: Based on my recollection, during the time I stayed on the island, I saw they captured boat about 3 times only. The soldiers on Tang Island and other islands also reported to the Division to capture the boats when they spotted them in the sea. Sometimes the radar on Phnom Bouk Ko Mountain could also detect the boats in the sea by themselves”].

1560 **D54/25** Pak Sok WRI, A9-12 [“Q: How long did you work at the Ou Chheu Teal Port? A9: I worked there the whole year of 1978 until the Vietnamese came. Q: How often did they send people through the Ou Chheu Teal port, and how many people came to the port each time? A10: The number of captured totalled thousands as far as I know. Each month they consisted of 10 to 50 persons. Q: Based on your experience and knowledge, in your unit and other units of the navy, between 1975 and 1979 approximately how many civilians, refugees and fishermen who entered Cambodian territorial waters were captured and killed? A11: Thousands. They included Thai fishermen and Vietnamese fishermen and refugees, who were arrested and killed on the sea, on the islands, or on the mainland”].

1561 **D114/126** Ou Kim WRI, A43-46 [“Q: In your interview with the Documentation Center of Cambodia on Page 27, you said 300 to 400 captured persons were killed on the island. Why did you say that? A43: This number is just my estimation according to what I observed. The number of 300 to 400 persons killed on the island is the least possible number in my estimation. Sometimes there were 50 people in one boat, and sometimes there were 70 people in one boat. When those people were captured, they were all killed on the island. During that time, many Thai boats like that were captured. Q: Do you know if the captured fishermen sent to Koh Poulo Wai Island were kept on the island or taken from the island after being captured? A44: To my knowledge, persons captured at sea were not taken anywhere besides the island. Q: In your interview with the Documentation Center of Cambodia on Page 24 in Khmer, you mentioned ‘Not less than 1,000 ... Regarding the island, some ended their journey there. Others were sent to unknown places, because they said they sent them. If they were sent elsewhere, there were sent away on a boat to wherever they wanted to go. There was no trouble, and they were sent away. But if they were not sent away, they were not given back their boat. Then they took measures.’ How does this figure relate to the 300 or 400 persons killed? A45: There were two cases I spoke of. In the first case, they captured both boats and people on the boats, and all of those people were finished off on the island. In the other case, they gave a boat to those people and let them to do whatever. Q: Do you know why they allowed the boat to return? A46: That was just what I noted. I did not personally monitor their discussions. When I was on the island, only once did I see an event in which they allowed the captured persons to return. They gave a new boat to those people so that they could return. However, I do not know if those people were Thai or Vietnamese. In fact, I never approached those boats. The figure of 1,000 was the total number of Thai and Vietnamese”].

1562 **D54/52** Meas Voeun WRI, A19-20 [“Q: According to what you remember, how many Thai fishing boats did your unit capture when you were in Koh Kong? A19: According to my memory, we arrested around ten Thai fishermen, but we captured around 50 to 60 fishing boats. The number of fishermen captured was fewer than the number of fishing boats because whenever we approached the boats, the fishermen jumped off their fishing boats to escape capture. Q: According to your estimation, if you could have captured all of the fishermen on those 50 to 60 fishing boats, how many of them might there have been? A20: There might have been many; on average each fishing boat carried from three to four fishermen”].

- 1563 **D54/52** Meas Voeun WRI, A21-22 ["Q: What do you think was the fate of the fishermen who jumped in the water; could they have survived? A21: I think they might have had a good chance of surviving because when they jumped into the water, they often had life jackets with them. I say this because once two of my military personnel fell into the water, but I found them alive the next day since they had a wood plank to keep them afloat. Q: Did your unit try to rescue the Thai fishermen who jumped into the water, or did you abandon them? A22: We did not go to the rescue of those Thai fishermen; we just left them to their fates. But when our military personnel fell into the water, we searched in order to rescue them"].
- 1564 **D114/126** Ou Kim WRI, A31 ["Q: Do you know how many fishing boats were seized during the year you were stationed on the island? A31: I cannot tell you the exact number, but they captured many Thai fishing boats. I can say that sometimes they captured two fishing boats a week and sometimes they captured one boat a month"].
- 1565 **D54/87** Prum Sarat WRI, A129-132 ["Q: In your interview with the Documentation Center of Cambodia, on page 54 (English version) and on page 45 (Khmer version), you stated: 'During a period of two years, the military captured Vietnamese almost every month coming to Koh Tang and Koh Poulo Wai islands.' You added: 'Many of them were sent to the division after their arrest, and later the division sent them to S- 21.' Can you elaborate on that? A129: I would like to confirm that this information is accurate. I learned this information via the communication radio at my place at the time. Q: Can you confirm that this information is accurate? A130: I would like to confirm that these events did happen at the given time. It was an event that I heard via the communication radio. When the boat was seized, the people on the island told my ship to be vigilant, indicating that Vietnamese boats had been seized on various islands. Q: Did you know of or keep a daily log recording the number of people and boats arrested each time? A131: I kept a daily log on the ship, but later the logbook vanished when the ship sank at sea. Q: Since you kept a daily log, how many Vietnamese, as far as you remember, were arrested by navy units stationed on the islands? A132: It is estimated that the number of the Vietnamese arrested was more than a hundred"].
- 1566 **D54/87** Prum Sarat WRI, A121 ["Q: In your interview with the Documentation Center of Cambodia, on page 53 (English version), and on page 44 (Khmer version), you made a statement about the seizure of Vietnamese boats. Did Division 164 often seize Vietnamese boats? A121: Not often. I remember witnessing the capture of Vietnamese boats two times during my time on Koh Poulo Wai Island"].
- 1567 **D54/87** Prum Sarat WRI, A129 ["Q: In your interview with the Documentation Center of Cambodia, on page 54 (English version) and on page 45 (Khmer version), you stated: 'During a period of two years, the military captured Vietnamese almost every month coming to Koh Tang and Koh Poulo Wai islands.' You added: 'Many of them were sent to the division after their arrest, and later the division sent them to S- 21.' Can you elaborate on that? A129: I would like to confirm that this information is accurate. I learned this information via the communication radio at my place at the time"].
- 1568 **D54/87** Prum Sarat WRI, A146-148 ["Q: In your interview with the Documentation Center of Cambodia, on page 68 (English version), you made a statement about the capture of Thai fishing boats. As far as you know, how many Thai fishing boats did the navy of Democratic Kampuchea seize during that regime? A146: I do not know how many, but I know that they seized one Thai fishing boat. Q: How many people were on that boat? A147: I do not know. Q: Where was the boat seized? A148: It was seized west of Koh Tang Island"].
- 1569 **D114/186** Shat Chak WRI, A85 ["Q: I do not require you to tell me the exact frequency, but you give us the estimate. Was it fewer or more than 10 times? Was it fewer or more than 20 times? A85: I can say that I saw such incidents fewer than 10 times. I was stationed on one side of the island, so I could see only what happened on that side. I could not see what happening around the entire island. Only those who were stationed at the highest area of the island could see what happening around the island"].
- 1570 **D114/31** Moul Chhin WRI, 17 Dec 2014, A39, 41-42 ["There were many captures of fishing boats. Generally, they captured three to four boats per day [...] Q: Did you see those boats fishing? A41: Yes, I did. We saw them dropping fishing nets to catch fish. Q: How many fishermen were there on a boat? A42: On a small boat, there were about six people. On the big ones (110 HP), there were about twenty to thirty people"].
- 1571 Also known as Wat Kraom, Wat It Nhean, Wat Entanhien, Wat En Ta Nhien/Nhean, Wat Eng Tea Nhien/Nhean, Ti Nean/Nhean, Wat Kroam/Krom/Kraom, Annhean/Anyean, Wat Entta-Nhean, Intheak Nhean, In Theak Nhean, Inth Nhean, Intra Nhean, Entheak Nhean.
- 1572 Also spelled 'Toek Sab', 'Tuek Sab', 'Teuk Sap', 'Tuck Sap', 'Tik Sap', 'Tik Sab' or 'fresh water'.
- 1573 See further **VIII.E. Stung Hav Worksites – 3. Crimes – Unlawful Imprisonment and Torture.**
- 1574 **D114/208** Long Phansy WRI, A27, 50 ["I was the chief of Battalion 612 until I was arrested in January or February 1977 or 1978 [...] Q: You said you were arrested in January or February 1978 and jailed at Toek

Sap for two months before the Vietnamese came in. Thus, is it correct that you were held in the first jail for more than 6 months? A50: I do not recall clearly. I just know that I was jailed at Toek Sap for less time than at the Stung Hav jail. I do not remember because I was constantly tortured”, A39-40 [“Both [Stung Hav and Toek Sap] were military jails. [...] A40: Both jails were within Division 164”].

1575 **D114/31** Moul Chhin WRI, A159 [“I was imprisoned at [Wat Enta Nhean] three days, three days at Tuek Sab, and three days at Prey Nob. I was detained for twenty-nine days at various places”]; **D114/40** Moul Chhin WRI, A2 [“at first I was detained in Tuek Sap Prison for three days [...] Later, they sent me from Tuek Sab to be detained at Wat Enta Nhien Pagoda. After I was freed from Wat Enta Nhien Pagoda [...] they had me return to Tuek Sab”].

1576 **D54/25** Pak Sok WRI, A25 [“I heard from other soldiers in my unit that Wat Enta Nhien Pagoda was a detention office for battalion-, regiment-, and division-echelon prisoners before they sent those prisoners to Phnom Penh”]; **D54/102** Ek Ny WRI, A6-7, 23 [“Wat Enta Nhien Pagoda was the security center and detention center of Division 164 under Meas Muth. It was the place where they had detained and interrogated the prisoners before they sent them to Phnom Penh. [...] Q: How did you know that they sent the prisoners from Wat Enta Nhien Pagoda to Phnom Penh? A7: The former soldiers of the Special Unit told me about that, and I used to see also the soldiers’ truck transporting the prisoners from Wat Enta Nhien Pagoda to Phnom Penh. [...] A23: Wat Enta Nhien Pagoda was a transit place where prisoners at the leadership level had been temporarily detained before they were transferred to other places”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A28 [“I thought that Wat En Ta Nhien Pagoda was not the permanent detention place for the prisoner. It was the provisional detention facility for those who were suspected or allegedly charged with various offenses. After they found that the persons were guilty, they would send them to Phnom Penh or other places”]; **D1.3.13.13** Touch Soeuli OCP Statement, EN 00217575 [“It was not a permanent facility, a temporary centre before they were shipped elsewhere”]. *See also* **D54/98** Heang Ret WRI, A89 [“That security office was used to temporarily detain people who had committed minor mistakes”].

1577 **D54/20** Sam Saom WRI, A12 [some prisoners were sent to Toek Sap “temporarily before being sent to Phnom Penh”].

1578 **D54/102** Ek Ny WRI, A7-8, 10 [“I used to see also the soldiers’ truck transporting the prisoners from Wat Enta Nhien Pagoda to Phnom Penh. The truck was called the Chinese 4 X 4 military truck. One day while I was working at a canal across the National Road 4 near the Kang Keng airfield, I saw that truck stopped to add water to the truck’s cooling system. That truck was travelling in the direction to Phnom Penh. I saw soldiers, who were escorting the truck, carried AK 47 rifle and sat in the back of the truck. That truck was totally covered from the roof down. When that truck stopped, I heard people were crying and moaning inside it, but I could not see those people. [...] A8: I heard them moaning in pain, and screaming that they were being tied up too tight and why they were not killed instantly on site. [...] A10: It took place in the rainy season of 1977”].

1579 *See, e.g.,* **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592-594 [“Spy of Vietnamese” – fishermen. Note: 14786 is a duplicate of 592], 596-597 [“Spy of Vietnamese” – fishermen. Note: 14782 is a duplicate of 597], 600 [“Spy of Thai” – fisherman], 602 [“Spy of Vietnamese”], 604 [“Spy of Thai”], 606-607 [“Spy of Vietnamese”], 609 [“Spy of Thai”], 612 [“Spy of Vietnamese”], 613-615 [“Spy of Thai”], 616 [Thai fisherman], 620 [“Spy of Thai”], 625 [“Spy of Vietnamese”], 628-629 [“Spy of Thai”], 645-646 [“Spy of Thai”], 649-650 [“Spy of Thai”], 651-653 [“Spy of Vietnamese” – 1 identified as a fisherman], 663 [“Spy of Vietnamese” – Fisherman. Note: 14784 is a duplicate of 663], 676 [“Spy of Vietnamese”], 678 [“Spy of Vietnamese” - fisherman], 679-680 [“Spy of Thai” – 1 identified as fisherman], 12981 [Thai fisherman], 12983-12985 [“Spy of Thai” - fishermen], 12987-12988 [“Spy of Thai” - fishermen], 12989 [“Thai people”], 12999 [“Spy of Thai” - fisherman], 13001-13002 [Thai people – 1 identified as a fisherman; 1 “Spy of Thai”], 13005-13006 [“Spy of Thai”], 13023 [“Spy of Thai”], 13031 [“Spy of Thai”], 13052-13053 [“Spy of Thai”], 13055 [“Spy of Thai”], 13431-13434 [“Spy of Vietnamese”], 13436-13437 [“Spy of Vietnamese” – 1 identified as a fisherman], 13642-13643 [“Vietnamese”. Note: 14783 is a duplicate of 13642], 13645 [“Thai People”], 13653 [“Thai People - Fisherman”], 14785 [Vietnamese Fisherman]. Eight other prisoners arrested at sea do not have entry dates in the OCIJ S-21 Prisoner List, but can be identified as part of the same group of Thais sent to S-21 on 7 May 1976 based on the name of the fishing boat on which they were captured and their “TH” Tuol Sleng confession number: **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 14696 [Khaim Sireak Phann, *Harin Phanich* Fishing Boat 67], 14697 [Kav Sing, *Seri Chhaok* Fishing Boat 5], 14698 [67-year-old Luom Sambuon, *Seri Chhaok* Fishing Boat 5], 14699 [Mon Try Sichhanakk, *Harin Phanich* Fishing Boat 67], 14700 [Prasat Lorp Kaet, captain of *Harin Phanich* fishing boat], 14701 [Sambun Set Bopha, *Seri*

- Chhaok Fishing Boat 5*], 14702 [Thoam Rat Kephang, *Harin Phanich Fishing Boat 67*], 14703 [La Sim Kha, *Seri Chhaok Fishing Boat 5*]. See also **D1.3.3.2** S-21 Execution List, EN 00874373-75 [Nos 1-31 are Thai fisherman sent to S-21 on 7 May 1976], 00874556-60 [Nos 251-284].
- 1580 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12983 [Thlat Lorn; Age 15; Children of Spy of Thai (Thai People) (Fishing) (Plate Cleaner in *Harin Phanich Fishery Board*), 12988 [Laui Lout; Age 15; Spy of Thai (Thai People) (Thong Molina Fishery Board), 13031 [Yut Phong; Age 16; Spy of Thai (Thai People), 13434 [Ngieng Din Y; Age 16; Spy of Vietnamese (See **D114/145.2.11** S-21 Biography of Kvieng Din Y (VN125), EN 01191493 ["16 years old, male, Vietnamese national, single"])]
- 1581 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 587-588, 590, 601, 610-611, 618, 627, 634-637, 639, 641-643, 655, 660-661, 664, 667, 670, 674-675, 681-682, 1576, 2249, 4139, 4168, 4707, 5025, 5308, 5465, 5911, 6084, 6090, 6390, 6650, 8223, 10590, 11611, 12616, 13616, 13823, 13873.
- 1582 See, e.g. 592 & 14786 (12 Dec 1975. See **D114/145.2.15** S-21 Biography of Daing Yaing Thann (VN132), EN 01396238 ["After being arrested, he was sent to live on Koh Kiev for a half month. Then, he was sent to Toek Sap to do farming. He was arrested on December 12, [1975]"), 663 & 14784 (Dec 1975), 678 (Dec 1975), 12981 (Dec 1975), 12983 (21 Dec 1975), 12984 (6 Sep 1975) 12985 (21 Dec 1975), 12987 (21 Dec 1975), 12988 (26 Dec 1975), 12989 (21 Dec 1975), 12999 (6 Sep 1975), 13001 (6 Sep 1975), 13002 (9 Dec), 13005 (6 Sep 1975), 13006 (6 Sep 1975), 13023 (21 Dec 1975), 13031 (6 Sep 1975), 13052 (22 Dec 1975), 13053 (21 Dec 1975), 13431 (30 Nov 1975. See **D114/145.2.11** S-21 Biography of Chim Yaing Koeu (VN122), EN 01191487 ["After he was arrested, *Angkar* sent him to Koah Kiev Island. After being held there for three days, he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants. [...] He was arrested on 30 November 1975"), 13432 (30 Nov 1975. See **D114/145.2.11** S-21 Biography of Chim Yaing Yop alias Le Yaing May (VN123), EN 01191490 ["After he was arrested, *Angkar* sent him to Koah Kiev Island. After being held there for three days, he was transferred to the fresh water area. He was arrested on 30 November 1975"), 13433 (30 Nov 1975. See **D114/145.2.11** S-21 Biography of Chim Yaing Koeng alias Le Yaing Phoeuk (VN 124), EN 01191492 ["After he was arrested, *Angkar* sent him to Koah Kiev Island. After being held there for eighteen days, he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants [...] He was arrested on 30 November 1975"), 13434 (Nov 1975. See **D114/145.2.11** S-21 Biography of Kvieng Din Y (VN125), EN 01191494 ["After he was arrested, *Angkar* sent him to Koah Kiev Island. After being held there for eighteen days, he was transferred to a fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantation [...] He was arrested in November 1975"), 13436 (10 Dec 1975. See **D114/145.2.12** S-21 Biography of Kvieng Thy Thoeung (VN126), EN 01195309 ["She was arrested on 10 December 1975 [...] After the arrest, *Angkar* sent her to look after a durian plantation at a fresh water area"), 13437 (10 Dec 1975. See **D114/145.2.12** S-21 Biography of Kvieng Hiv Lang (VN127) ["He was arrested on 10 December 1975 [...] After the arrest, *Angkar* sent them to a fresh water area to clear grass in a durian plantation"), 14782 & 597 (30 Nov 1975. See also **D114/145.2.11** S-21 Biography of Troeng Yaing Kve (VN121), EN 01191485 ["Note: Date of the arrest: 30 November 1975. After the arrest, *Angkar* sent him to the fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantations"), 13642 & 14783 (12 Dec 1975. See also **D114/145.2.12** S-21 Biography of Choeng Thann Hoeung (VN128), EN 01195316 ["He was arrested on 12 December [1975]. After the arrest, he was sent to an island [...] for six days. Then, he was sent to a fresh water area to look after the durian and rambutan plantations"), 14785 (12 Nov 1975. See also **D114/145.2.14** S-21 Biography of Pham Yaing Phann, EN 01368091-92 ["Note: This person was arrested on 12 November 1975 and *Angkar* sent him to Tuck Sab to do some work such as taking care of durians tree plantation. On 7 May 1976, he was sent to S-21"])]
- 1583 See, e.g., **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592 & 14786 [Daing Yaing Thann- arrested at sea on 12 December 1975 and detained in Toek Sap until his transfer to S-21 on 6 May 1976], 663 & 14784 [Kim Ngok Troeung – arrested December 1975 on Bat (Prachiev) Island, then detained at Toek Sap until his transfer to S-21 on 6 May 1976], 14785 [Pham Yaing Thann – arrested at sea on 12 November 1975 and detained in Toek Sap until his transfer to S-21 on 7 May 1976]. See also Nos 600 [Lak, Thai Fisherman, Entered S-21 on 7 May 1976], 641 [Chann Suon, Farmer, Entered S-21 on 7 May 1976], 642 [Chen Nhim, Worker in Salt Field, Entered S-21 7 May 1976], 649-650 [Sam Khit and Thaim Malak, Thai Fishermen, Entered S-21 7 May 1976], 12987 [Pheng Chann Sen, Thai fisherman, Entered S-21 on 7 May 1976], 13031 [Yut Hung Saim Ran, Thai civilian, Arrested from Koh Tang on 6 September 1975, Entered S-21 on 7 May 1976], 13052 [Chhaet Im Thang, Thai fisherman, Arrested from Koh Kapi on 22 December 1975, Entered S-21 on 7 May 1976], 13053 [Den Nen Yim, Arrested from Koh Rong on 21 December 1975, Entered S-21 7

- May 1976], 13055 [Kovid, Thai fisherman, Entered S-21 7 May 1976]; and fn. 1582 [referring to **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 678, 13431-13434, 13436-13437, 13642 & 14783, 14782 & 597].
- 1584 **D114/130** Iem Phong WRI, A109 ["They detained Ta Sokh at Tuek Sab Prison. He was Khmer Rouge medical staff. He used to be the chief of surgery at Kampong Som"]; **D54/117** Meas Saran WRI, A11-12, 18 ["Q: [...] about the hospital in Chamkar Chek. Who was the chairman of the hospital? A11: The chairman was Sokh [...] A12: He worked there for a few months. In late 1975, he was arrested and imprisoned at Tuek Sab Bridge [...] Hao came to replace Sokh at the beginning of 1976 [...] A18: I was sent to a cooperative where Sokh's children were. Sokh's children told me that Sokh and his wife had been arrested and imprisoned at Tuek Sab Bridge"]; **D114/155** Sok Ren WRI, A61 ["After the liberation in 1979, the army of 386 was amalgamated with Division 164 and they were sent there. All of them died. I heard there was a prison in Tuek Sab and Stueng Hav where political prisoners were detained. [...] At that time I heard that they arrested [...] the wife of doctor Sokh and imprisoned her at Tuek Sab but I do not know where doctor Sokh was arrested or where he was sent to. [...] Both husband and wife died. Sokh was a former hospital chief of Sector 37"]; **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 7383 [female medic Hem Ang alias Sin, identified as the wife of Secretary Sok – entered 26 or 28 April 1977, executed 29 April 1978], 13137 [Soem Neam alias Sok, Chief of Division Hospital, Division 164, Died/executed on 4 May 1977]; **D1.3.28.19** S-21 Interrogation List, EN 01226578 [Entry 1 - Hem Ang alias Sin, Politics of Company, Division Medic, Wife of A Sok; date of entry: 26 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164 [identifying No. 10 as Hem Ang alias Sin (Srey), Division member of Division 164 who entered S-21 in April 1977].
- 1585 See para. 358.
- 1586 See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.
- 1587 See VIII.A. Purges Within Division 164.
- 1588 See III.2. Meas Muth's DK Role – Secretary of Division 164; IV. Division 164 (Former 3) Authority Structure - Division 3 (1973/1974 – July 1975); IV. Division 164 (Former 3) - Division 164 Committee.
- 1589 See III.2. Meas Muth's DK Role – Secretary of Kampong Som Autonomous Sector; IV. Division 164 (Former 3) Authority Structure - Division 164 (July 1975 – January 1979).
- 1590 **D54/104** Ek Ny WRI, A14, 16 ["Q: Based on your observation, who was the most powerful person in making arrests, disarmament and sending soldiers to perform labour? A14: Only Bang Muth [...] A16: Meas Muth had the authority to make arrests and punish civilians, soldiers and soldiers' family members who stayed in the area controlled by Division 164"]; **D54/105** Ek Ny (Ni) WRI, A2 ["Q: Did Meas Muth have authority to release someone [from torture places] if he wanted to? A2: Yes, he had authority to release, and he was more powerful than other people"]; **D114/65** Chet Bunna WRI, A9 ["[Meas Muth] had the power to arrest and kill soldiers and civilians in the areas under his control. For example, if he noticed that any cattle or cows were skinny because they had not been taken care well, he would order the arrest of the persons in charge of taking care of those cows"]; **D54/98** Heang Ret WRI, A128-130 ["Ta Muth was very precise, meaning that killing had to be done following the decisions of five echelons [...] A129: For instance, for a normal soldier, he had to get the order from the chairpersons of various groups: the 50-member unit, the 100-member unit, the regiment, and the division. In addition, at each level, the decision had to be made by the joint committee, which consisted of the chairperson, the deputy and the members [...] A130: at each level, the decision had to be made by the committee at that level. Meas Muth was the commander of the division which was the last level in decision-making; and that decision had to be made by Meas Muth, his deputy, and the members of the Division Committee"].
- 1591 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 14.38.20-14.42.45 ["For unit 450 it was a special unit for Division 164 [...] the unit was known as the special unit for Division 3"]; **D114/83** Sok Neang WRI, A19 ["Battalion 165 was the special battalion"]; **D114/286** Heang Reth WRI, A13 ["Battalion 165 referred to my battalion. It was called a special battalion of the division"]; **D2/15** Touch Soeuli WRI, A20 ["It was the Battalion 450 or the special unit of the Division 164"]; **D54/10** Meu Ret alias Saret WRI, A27 ["Battalion 450 was a Special Unit of Ta Mut"]; **D54/98** Heang Reth WRI, A11 ["Battalion 450 was called the special unit"]; **D114/83** Sok Neang WRI, A19 ["I think Battalion 165 was the special battalion"]; **D4.1.762** Kam Men US POW/MIA Statement, EN 00387328, KH 00742578 ["the 164th division was organized into three subordinate infantry regiments numbered 61, 62, and 63, and included the 450th special operations battalion"]; **D114/187** Touch Soeuli WRI, A47 ["Unit 450 was a division special unit"].
- 1592 **D54/98** Heang Reth WRI, A28 ["Battalion 450, it became Battalion 165, which was a special intervention unit"]; **D114/287** Heang Ret (Hieng Reth) WRI, EN 01377954 ["Investigators' note: [...] He says 'at first, I

was with the infantry unit 22 and then I was transferred to an infantry of Regiment 20. Then I was moved to a battalion, known as Special Unit 450. [...] Note that Special Unit 450 was later transformed into Battalion 165”].

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D54/10 Meu Ret alias Saret WRI, A27 [“Battalion 450 was a Special Unit of Ta Mut”]; **D54/46** Em Sun WRI, A31, 38 [“In a meeting, he [Meas Muth] announced that Battalion 450 was the special battalion under Division 3’s authority. He also added that we had to get ready for liberating Phnom Penh in February 1975 [...] A38: my special unit, Battalion 450, received orders directly from Meas Mut, the Commander of Division 3”]; **D54/47** Em Sun WRI, A11-12 [“my unit was a special squad; thus, we reported directly to Meas Muth. [...] A12: I reported to him by radio. I used C-25 or VHF-46 radios”]; **D54/102** Ek Ny (Ni) WRI, A14, 19 [“The Special Unit was like the bodyguard unit. It was the unit trusted by the leader [...] A19: Each soldier in the Special Unit had been very carefully screened of background before he was put into the Special Unit”]; **D54/103** Ek Ny (Ni) WRI, A14, 16 [“Only Meas Muth’s soldiers were armed. For example, there was a unit called Special Unit always tasked to make arrests. That was Meas Muth’s unit [...] A16: The so-called special unit was actually a special platoon of Ta Muth”]; **D54/7** Dol Song WRI, A10-11, 13 [“This Special Battalion was not under the command of any regiment. It was under the command of the Division [3/164]. [...] A11: This Special Battalion was under the command of the Division Commander or Political Chairman [...] A13: I knew very well that this Special Battalion was under direct command of the Division. It was not under the command of any regiment. Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division. Whenever there was a meeting, all the regiment commanders were invited, and Moeun was also invited to attend the meetings”]; **D114/15** Sok Vanna (Suos Vanna) WRI, A18 [“Q: Have you ever heard about the Special Battalion 450 of Division 3? A18: Yes, I have. This unit was under Meas Mut”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“The special unit was an autonomous unit of the division. [...] It was equivalent to the regiment’s role”]. See also **D114/187** Touch Soeuli WRI, A47 [“Q: When Sa Samoeun was in charge at the 450 unit of organization, did he receive orders from Meas Muth personally? A47: Unit 450 was a division special unit; therefore, it might well have received orders from him personally”]; **D2/15** Touch Soeuli WRI, A20-24 [“It was the Battalion 450 or the special unit of the Division 164. Q: You told us yesterday that Battalion 450 was not subordinate to any regiment, but it was the special unit of the Division 164, is it correct? A21: Yes, it is correct”]; **D114/286** Heang Ret (Heang Reth) WRI, A35-38 [Soldier from Battalion 450 describing a meeting in Kampong Som in 1975, at which Meas Muth made a number of announcements to attendees including members of Battalion 450].

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D114/187 Touch Soeuli WRI, A48, 50 [“[Battalion 450] was a combat unit, a special combat unit. These persons were the most special of all for doing straightforward combat [...] A50: The person whom they selected to come to this unit 450 were selected from other units of organization. Those they selected were like the most special human beings. Such a combat unit was one of prowess, formidable and with esprit de corps, such that wherever there was a position that was a tough target, they were the ones they had go to do the fighting. That’s how it was back in the year after the 17th, when Unit 450 first arrived and went to fight the Yuon at Koh Poulo Wai Island”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A22 [“Q: Why was this unit the special one of the Division? A22: Because starting from the battalion level and up, each unit must have a special unit for use in the urgent and special circumstances on the battlefield if necessary”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A173 [“According to the preparation, it [Battalion 450] was responsible for intervention when there were military events happening at any point where the other regiments faced challenges. This unit would go and help”]; **D54/46** Em Sun WRI, A27, 32, 35 [“Probably in March 1975, I was transferred from Battalion 415 to a special battalion, Battalion 450 in Division 3. [...] A32: It was named a special battalion because it was an assisting unit. The special battalion helped the infantry when needed. [...] A35: Meas Mut said in the meeting that the newly-created special unit always assisted the infantry”]; **D54/10** Meu Ret WRI, A28 [“Q: How did Meas Mut use Battalion 450? A28: During the war, he always sent this Special Unit to the tensest battlefield”];

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D2/15 Touch Soeuli WRI, A23-24 [“Later on, because there was no fighting on the battlefield any more, this unit 450 was assigned to be in charge of the security matters. [...] A24: it was the security unit of the Division 164 for the entire Kampong Som town”]; **D114/187** Touch Soeuli WRI, A57-58, 61 [“some others were made to go be a security unit [...] A58: they were in charge of security and public order side of things [...] A61: There were remnants of the 450 unit of organization led by Ta Norn who took charge of security”]; **D54/7** Dol Song WRI, A11 [“At that time, the country was already in peacetime; the Special Battalion did not

need to go to war. Therefore, the Special Battalion was instead used to protect leaders of the Division and to arrest those who committed mistakes”].

1596 **D54/102** Ek Ny (Ni) WRI, A14, 20 [“The Special Unit was like the bodyguard unit. It was the unit trusted by the leader. [...] Q: Other witnesses had told us that Meas Muth had a bodyguard unit and also a messenger unit. We do not understand about the differences between these two units. Was this only one same unit? A20: It is the same unit”]; **D54/103** Ek Ny (Ni) WRI, A15 [“In that special unit, there were also Meas Muth’s bodyguards who followed and protected him everywhere”]; **D54/72** Mut Mao WRI, A1, 7 [“I saw only two to four messengers who were always with him. When he went to a place nearby, he brought one driver, one radio operator and two other persons – a bodyguard and a messenger [...] A7: The special unit was like Meas Mut’s bodyguards, like that. The messenger team was the team who worked nearby and close to Ta Mut all the time. But the special unit was for guarding and manning the checkpoints surrounding his house and office”]; **D54/101** Ek Ny (Ni) WRI, A10 [“Those soldiers, who were arresting [Rem], were from the Special Unit of Ta Mut. They were like Ta Mut’s bodyguards and also known as his right hand unit”].

1597 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 14.38.20-14.42.45 [“For unit 450 it was a special unit for Division 164 and its task was to be stationed around the divisional headquarters [...] the unit was known as the special unit for Division 3”]; **D54/87** Prum Sarat WRI, A93-95 [“Battalion 450 was stationed surrounding the division [...] A94: It was the defence unit [...] A95: Its main duty was defending Division Headquarters”]; **D54/72** Mut Mao WRI, A7 [“the special unit was for guarding and manning the checkpoints surrounding his house and office”]; **D54/7** Dol Song WRI, A11 [“The Special Battalion was responsible for protecting leaders of the Division and arresting people who committed mistakes”].

1598 *See VIII.C.3. Wat Enta Nhien Security Centre – Location, Site Description and Operation – Authority Structure.*

1599 **D54/102** Ek Ny (Ni) WRI, A14 [“The Special Unit [...] was the unit trusted by the leader. They used soldiers in this Unit to arrest the traitors and to do other important works. When they wanted to arrest those at the battalion and regiment levels, they sent the soldiers of the Special Unit to the battalion and regiment bases to tell them that brother [commander] of Division called them to attend a meeting”]; **D54/103** Ek Ny (Ni) WRI, A14 [“Only Meas Muth’s soldiers were armed. For example, there was a unit called Special Unit always tasked to make arrests. That was Meas Muth’s unit”]; **D54/7** Dol Song WRI, A11 [“The Special Battalion was responsible for protecting leaders of the Division and arresting people who committed mistakes”]; **D2/16** Touch Soeuli WRI, A18-19 [“Many people were arrested and removed, causing fear for many people. [...] A19: The persons [who] came to arrest them were the guards of the security unit 450. I did not know how the arrests were made, but I knew that the arrests took place continuously”]; **D54/71** Mut Mao WRI, A42-43 [“Q: Why do you say that the soldiers who had brought those Yuon to be killed were the special unit or messengers of Meas Mut? A42: Because only soldiers of the special unit were tasked to do such work. Q: How did you know that those soldiers were from the special unit? A43: I learned this from the messengers of Meas Mut who were working at the same office”]; **D54/105** Ek Ny (Ni) WRI, A6 [explaining how Meas Muth’s special unit intervened to arrest two former Battalion 386 cadres], A18 [describing an event at Stung Hav in late 1978 during which Meas Muth’s special unit forces arrested many male railway workers and embarked them onto trucks]; **D54/48** Em Sun WRI, A52 [“I remember the event that two soldiers of mine were arrested for a short time at Wat Enta Nhien Pagoda. They went to find resin to stick on the boat, and they were arrested by Wat Enta Nhien Guards”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978579 [Describing the arrest of several soldiers in his unit: “some of the bodyguards arrived and arrested them all”].

1600 **D2/15** Touch Soeuli alias Soeu Touch WRI, A12 [“On 18 April [1975], the Battalion 420 and the special unit were sent to Kampong Som town. The Battalion 420 was sent to station in Ream and the special unit was sent to Kampong Som”]; **D114/282** Ek Ny (Ni) WRI, A6 [“On 18 April, Division 3 entered Kampong Som”]. *See also D114/69* Kuy Sambath WRI, A1 [“On 18 April, the Khmer Rouge came to take control of Kampong Som Province”].

1601 **D54/98** Heang Ret WRI, A93 [“Sa Moeun was the commander of Battalion 450”]; **D54/46** Em Sun WRI, A27 [“Probably in March 1975, I was transferred [...] to a special battalion, Battalion 450 in Division 3. Moeun was the Chief”]; **D54/47** Em Sun WRI, A10 [“By the time I arrived on Koh Tang Island, I had not received any information about Commander Moeun. Moeun had been wounded”]; **D114/67** Sar Sarin WRI, A14 [“Sar Moeun was a commander of battalion 450”]; **D54/10** Meu Ret WRI, A22, 27 [“As for Moeun, he was the former commander of a Special Unit under Meas Mut and the commander of Battalion 141 of Regiment 140. [...] Q: To your knowledge, did Moeun ever serve as the commander of Battalion 450 of Division 3? A27: Yes, he did”]; **D54/7** Dol Song WRI, A8, 13 [“Moeun was the Political Chairman of the

Special Battalion [of Division 3]. [...] A13: Moeun was the Commander of this Special Battalion”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A12 [“At that time because my commander Sar Samoeun had been wounded, I [left the special unit] and returned to stay with my old unit, the Battalion 420. Next morning, on 18 April, the Battalion 420 and the special unit were sent to Kampong Som town. The Battalion 420 was sent to station in Ream and the special unit was sent to Kampong Som. After my commander, Sar Samoeun, had been recovered from his wound, he was sent to command his special unit in Kampong Som again”]; **D114/187** Touch Soeuli WRI, A7, 11 [“I stayed with Sa Samoeun, who was indeed the commander in Division 450 subordinated to Big Division 164 [...] A11: Sa Samoeun was the commander in Battalion 450”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“Moeun and Thean were in charge of the special unit at the time”]; **D4.1.751** Unknown US POW/MIA Statement, 21 Mar 2005, EN 00387258, KH 01519652 [“Source was a body guard for ((Sar)) Meuan, the 450th battalion commander”]; **D4.1.745** Unknown US POW/MIA Statement, EN 00387261, KH 01513914 [“Meuan, the 450th BN Commander, was stationed in Kampong Som”].

1602 **D54/98** Heang Ret WRI, A94 [“Sa Moeun had to report directly to Division 164, Meas Muth”]; **D54/7** Dol Song WRI, A13 [“Moeun was the Commander of this Special Battalion. This position was equal to other commanders of regiments in the Division”]. *See also* **D114/187** Touch Soeuli WRI, A7 [“I stayed with Sa Samoeun, who was indeed the commander in Division 450 subordinated to Big Division 164”].

1603 **D54/46** Em Sun WRI, A27, 35 [“Probably in March 1975, I was transferred from Battalion 415 to a special battalion, Battalion 450 in Division 3 [...] Moeun was the Chief; Sarun Kuok was the Deputy Chief; Thean and I were the Members [...] A35: Back then, I was in charge of Company 2, Moeun of Companies 1 and 3, Sarun Kuok of Companies 4 and 5, and Thean of Companies 6 and 7. After Moeun was injured in the first clash, Companies 1 and 3 were also under my authority”]; **D59/1/1.11a** Heang Ret (Hieng Reth) DC-Cam Statement, EN 00974081, KH 00926527 [“Moeun and Thean were in charge of the special unit at the time”]; **D4.1.759** Khiem Ngun US POW/MIA Statement, EN 00387265, KH 00658135-36 [“The 450th commander was Vanni and the deputy was Thean”]; **D4.1.745** Unknown US POW/MIA Statement, EN 00387261, KH 01513914 [“The 450th BN Deputy Commander Vanni and Command Committee member Tean were the on site commanders on the island”].

1604 **D114/67** Sar Sarin WRI, A14 [“Later on [Sar Moeun] joined the Navy and he was in battalion 141”]; **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655 [listing Comrade Sar Moeun as Secretary of Battalion, Division 164]. *See also* **D114/187** Touch Soeuli (Touch Soeury) WRI, A45 [“Q: Was Sa Samoeun in charge of Battalion 450 for the whole time until the end of the regime? A45: No. We left to study together since 1975”].

1605 **D114/187** Touch Soeuli (Touch Soeury) WRI, A45-46, 59 [“Q: Was Sa Samoeun in charge of Battalion 450 for the whole time until the end of the regime? A45: No. We left to study together since 1975. On the other hand, Ta Norn’s unit organization remained in the very same unit of organization as before. Q: Who was the commander of the 450 unit of organization when Sa Samoeun transferred to the Navy? A46: from what one person said to the next, [...] Bang Norn stayed as in charge at the 450 unit of organization, but there were only a few of them left, not a lot like there had been before. [...] A59: I remember only Bang Norn who was the person in charge [...] A61: I know there were remnants of the 450 unit of organization led by Ta Norn who took charge of security”]; **D54/72** Mut Mao WRI, A10, 16 [“Q: Who was the commander of the special unit battalion? A10: His name was Norn but he is dead [...] A16: Ta Norn as in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut’s house where Norn and his soldiers stayed. I never arrived, so I do not know how many soldiers were there”].

1606 **D2/15** Touch Soeuli alias Soeu Touch WRI, A33 [“Based on my knowledge, Ta Norn was in charge of the security unit at that time [in 1977]”]. *See also* **D114/187** Touch Soeuli (Touch Soeury) WRI, A43-44, 59, 61 [“Q: In your previous interview, you said that Ta Norn was the person in charge of Wat Enta Nhlen Security Office. Is that correct? Was Ta Norn also a soldier in the 450 unit of organization? A43: Ta Norn was a person who in the old days had been in the 450 unit of organization. He had been a commander of a company subordinated to the old 450th. However, when we went to the Navy, he did not go to the Navy. Q: Was Sa Samoeun Ta Norn’s chief? A44: Yes. Q: Was Sa Samoeun in charge of Battalion 450 for the whole time until the end of the regime? A45: No. We left to study together since 1975. On the other hand, Ta Norn’s unit organization remained in the very same unit of organization as before. Q: Who was the commander of the 450 unit of organization when Sa Samoeun transferred to the Navy? A46: from what one person said to the next, [...] Bang Norn stayed as in charge at the 450 unit of organization, but there were only a few of them left, not a lot like there had been before. [...] A59: I remember only Bang Norn who was the person in

charge. And then Bang Norn was also not able to remain there the whole time. In late 1978, even he disappeared due to the fact it was heard that he was connected to involvement in raping prisoners. However, I do not have clear knowledge of this matter, although I heard that he was involved in raping prisoners and releasing prisoners. And these persons called prisoners were in fact not at fault for anything, and once they had been released, they did not go anywhere. They lived near their units of organization; they did not go anywhere. [...] A61: I know there were remnants of the 450 unit of organization led by Ta Norn who took charge of security”].

1607 **D1.3.14.1** Telegram from Meas Muth to Bang 89 (Son Sen), 11 Jun 1976 [reporting a letter intercepted by the Division that was addressed to Battalion 165 Deputy Secretary Sam-At alias Sun and a cadre named “Buni” or “Suni”]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 450 [Chhun Lun alias Sam-At, Deputy Commander – entered 29 June 1976]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 6 [identifying Chhun Lun as Battalion 165 Deputy Secretary]; **D1.3.3.2** S-21 Execution List, *List of Prisoners Executed from 1 October 1975 to 15 October 1976*, EN 00874318 [No. 132 listing Chhin Lun (illegible alias) as member of Battalion in Division 164, entry date 29 July 1976, Execution date: 1 October 1976 (died of disease)]; **D54/27.2** List of Division 164 Persons arrested, EN 01185462, KH 00955556 [listing Chhun Lun alias At as Deputy Secretary of Battalion 165].

1608 **D54/72** Mut Mao WRI, A10-11, 13, 15-16, 19 [“Q: Who was the commander of the special unit battalion? A10: His name was Norn but he is dead. [...] A11: I do not know where or when Norn died, but I heard from my husband that Norn is dead. [...] A13: I used to see him going in and out of Ta Mut’s house. [...] A14: Norn was under the command of Ta Mut [...] A15: [Norn’s headquarters] was at the entrance to Ta Mut’s house. [...] A16: Ta Norn was in the special unit for protecting the division. He had a checkpoint and a house which was located at the entrance to Ta Mut’s house where Norn and his soldiers stayed. [...] A19: Norn came to meet Meas Mut when there an event happened, once in a while”].

1609 **D114/187** Touch Soeuli (Touch Soeuly) WRI, A59 [“I remember only Bang Norn who was the person in charge. And then Bang Norn was also not able to remain there the whole time. In late 1978, even he disappeared due to the fact it was heard that he was connected to involvement in raping prisoners”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A35, 37 [“Ta Norn’s story was a little strange. I did not see it with my own eyes, but I heard from other people that he had raped a female prisoner. After he had raped that female prisoner, he released her. However, Ta Norn was himself later arrested. [...] Q: Can you tell us the name of that female prisoner who was raped by Ta Norn? A37: That prisoner who had been raped by Ta Norn named Reem”].

1610 **D2/15** Touch Soeuli alias Soeu Touch WRI, A34 [“At that time wherever Ta Norn’s car arrived, people were usually worried because they did not know who would be arrested next”]. *See also* **D114/187** Touch Soeuli WRI, A61, 106-107 [“There were remnants of the 450 unit of organization led by Ta Norn who took charge of security [...] A106: In 1977, if we saw that unit of organization going anywhere, we worried that problems would occur [...] A107: We merely knew that in 1977 that this 450 unit of organization was a security unit, a security or squad. Thus, if we saw them anywhere, it was for sure that there were problems there”].

1611 **D114/16** Sok Vanna WRI, A19 [“As for the military, they were arrested by their unit commanders”]; **D54/27** Pak Sok WRI, A6 [Describing the detention of three soldiers by their regiment commander before they were sent to Toek Sap].

1612 **D114/109** Prum Sambath WRI, A173 [“Q: Did Sector 35 soldiers guard the three areas? A173: Yes, they did”]; **D114/135** Nub Phorn WRI, A30 [“they guarded and inspected us to see whether or not we did our work”]. *See also* **D114/194** Sorn Sot WRI, A64 [“Those chiefs, who supervised our work, always stayed on the paddy dikes”].

1613 **D54/89** Kuy Nen WRI, A25.

1614 **D54/114** Hem Sambath WRI, A47 [“They were soldiers [who took them away]. There was one family transferred to live in a new cooperative near Teuk Sab. When they [soldiers] were arriving, I was nervous and shaking because during that time if we saw the Khmer Rouge soldiers coming, we knew that there would be problems”]; **D54/90** Kuy Nen WRI, A43 [“I want to add that at the worksite of that dam and canal, soldiers always came to arrest two or three people every 3 or 4 days. Nobody knew the reasons for those arrests. Everybody was very afraid because of that situation. Soldiers came to arrest people in broad daylight”]. *See also* **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [Cooperative chairperson describing reporting on mistakes: “Yes, we had to make report. When we saw someone making a mistake, we reported about him/her [to the leader] so that he/she would be called to be reeducated”].

- 1615 **D114/156** Soeng Noch WRI, A132 ["They sent a letter to the cooperative chief. Then, the cooperative chief told the members, 'Your parents are waiting for you at the rear base'"].
- 1616 **D54/25** Pak Sok WRI, A6, 17 ["Regiment 61 under Ta Chorn operated on the islands of Koh Rong, Koh Pring, Koh Mnoas and Koh Rong Krao. Regiment 62 under Ta Yeang operated on the islands of Koh Tang, Koh Poulo Wai Chas, and Koh Poulo Wai Thmei. Regiment 63 under Ta Nhan operated on Koh Seh, Koh Antay and Koh Kyang. They did not have warships, but had motorboats for transportation purposes. Those soldiers captured anyone who entered Kampuchean territorial waters within their areas of operation [...] A17: [...] I know that military personnel in my Regiment 62 had also captured other motorboats and people. I used to see the motorboats my unit captured and kept at Koh Tang"]; **D54/79** Nop Hal WRI, A3 ["Regiment 62 controlled the cooperation between other units which were involved in boat capture. They also examined the number of people who were in the boat, the capacity of boat and other materials aboard that boat [...] According to observations, Regiment 62 examined the boat and the people who were captured and sent them to Kampong Som with the report"]; **D114/105** Koch Tuy WRI, A48, A53 ["At the time, we were patrolling the sea. During the third shift of the patrol, at about 8.00 p.m. or 9.00 p.m. upon the arrival of my ship, we spotted the Thai boat through the radar. We then set off by ship and seized the boat, and then sent the people on board to Kampong Som. We took the boat to Koh Tang Island. It took three or four days to empty the boat out of its fish and belongings and then we brought it to Division 4 in Kampong Som straightaway. There were many people on board the boat, but I do not remember how many there were [...] A53: Normally, if they resisted, we would open fire. But in this case, they did not, so we moved our ship close to the boat and jumped into it. We told them to lift the fishing net and take the fish to be properly kept in the storage container with ice, and the people to stay in one place. Then, our ship was ordered to move to Kampong Som, where the Thais were off-loaded, and then we took their boat to Koh Tang Island"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974211, KH 00926389 ["As far as I knew, the Indians were arrested. [...] Q: Which island did they come to? A: Poulo Wai [...] The persons stationed on the island arrested them"], EN 00974208, KH 00926386 ["the persons assigned to protect the islands arrested them"]; **D54/98** Heang Ret WRI, A28 ["When Division 3 was re-designated Division 164 in Kampong Som, Meas Muth was the commander. The deputy commanders were often changed, including Ta Rin, Ta Chhan, and Ta Dim. Division 164 included Regiments 61, 62, 63 and 140. Regiments 61, 62, and 63 had the mission of coast and island defence. Regiment 140 was in charge of all vessels"].
- 1617 **D54/79** Nop Hal WRI, A3 ["Later Division 164 sent PCF boats of Regiment 140 [to capture boats], which sometimes was located in Kampong Som or at a standby location. The PCF boats of Regiment 140 were stationed at Koh Poulo Wai Island or Koh Tang Island"]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A27 ["Q: In Division 164, who was in charge of arresting of the fishermen? A27: The PCF group was in charge of the arresting task"]; **D54/8** Dol Song WRI, A15 ["Regiment 140 was appointed to protect the islands and water borders"]; **D54/109** Sao Sam WRI, A11, 14 ["Q: During the time you were staying on the Poulowai Island, did you ever see they arrested Vietnamese and brought them to put on that Island? A11: When I was staying on the Poulowai Island, my task was to guard. We did not have any combat ships for the attack. We only had regular boats for fishing. When we spotted any Vietnamese's, Thai's or other foreigner's boat/boats coming in our water, we reported it via the radio communication to the base of the Division 164 in Kampong Som. The Division then dispatched its ship, which was the mine sweeper and was a very fast ship, to chase and capture the encroaching boat or ship [...] A14: After we reported via the radio communication to the base of the Division 164, the Division went to capture the boat by themselves. We could see them capturing it through our binocular and when they were taking the boat to the rear"]; **D2/10** Say Born WRI, A1, A29-A31 ["The main tasks of the pursuit-vessels were to follow the instruction of the upper Rank and to wait for the order from the upper rank to attack [war ships] whenever needed [...] A29: the pursuit-vessel unit was not deployed to different places like that, it was waiting in [one place] for an order to attack. Q: Could the vessel unit go out and attack any targets by itself or there must be an order before it could do it? A30: No. They did not have the right to move from one place to another. There must be an order before they could move from one place to another. Even the places where we should anchor, we must follow an order. Each chief of the vessel could not do anything by himself without an order. The order came from the chief of the vessel unit, not from the Division. Q: If the vessel unit was deployed along the sea border and saw the foreign ship encroaching its territory, how did your vessel unit react? A31: Even we saw the foreign ship encroaching our territory, we would not react. But we reported to the upper Angkar immediately, and waited for the order from the upper echelon to tell us how to react to that ship. It was not our task to seize ships in general. We waited to attack the warships only. The task to seize various ships was that of the other unit which used the

wooden boats”]; **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978, EN 00233649, KH 00020982, FR 00623220 [“At Koh Wai island, on March 20, 1978 at 4 am, our brothers and sisters saw a Siamese motor-driven boat (250 cc capacity) 3 km northwest of Koh Chass island. We caught the boat with 21 people at 5 am [...] At Koh Tang island, on March 20, 1978 at 2.30 hours, our 800-cc motor-driven boat managed to catch two Vietnamese motor-driven boats with 76 Vietnamese people-both young and old, male and female”].

1618 **D54/25** Pak Sok WRI, A2-3 [“They used simple language in orders. For example, “Shoot them dead” or “Send them to the mainland.” Q: Why did you state in your interview with the [DC-Cam] that the order to kill was usually issued by Ta Mut? A3: To my knowledge, that was the standard operational procedure of the Division”]; **D1.3.33.4** Kaing Guek Eav alias Duch WRI, EN 00198221, KH 00197971 [“I know it was Division 164, headed by Meas Muth, that arrested them”]; **D54/79** Nop Hal WRI, A3, 26 [“the battalion reported to the regiment that the boat had invaded. Generally, the regiment would then report to the division which was located in Kampong Som [...] A26: As I described previously, the battalion stationed there reported to the upper level everything that entered Cambodian territory. Ta Mut was Division Commander. Ta Seng and Ta Mut were in charge of the division. Ta Mut was the senior level commander and had been in charge of the division a long time”].

1619 **D54/25** Pak Sok WRI, A4 [“Q: Besides Ta Mut, could anyone else issue the order to capture or kill? A4: If Ta Mut was absent, then Ta Seng. If Ta Seng was absent, then Ta Saroeun”].

1620 **D54/23** Pak Sok WRI, A25 [“Then the division issued orders on what we should do with the boat or vessel and the people captured. The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island. In cases where we seized the Vietnamese boats, sometimes we received orders to shoot and kill them on the spot and bring the only the boat to the island”]; **D54/25** Pak Sok WRI, A1, 19 [“Q: In general, when the crew of a naval vessel received an order to kill or send captured persons, was the order made orally via communication radio or via Morse code? A1: The order was made orally via communication radio [...] A19: Any event that occurred had to be reported to the battalion, and the battalion would report to the commander of the regiment. Then the regiment would report to the commander of the division. Then the commander of the division would decide and send orders back to the lower level through those same echelons”]; **D114/186** Shat Chak WRI, A109 [“in one unit, if the chief went to receive information or plan from the senior leaders, when he came back, he would call all the members of the unit to attend a meeting in order to disseminate the information or the plan”]; Sometimes, in case of emergency, the orders were directly sent from the division headquarters to the relevant Navy ship without passing through the Regiment 140 and the relevant Battalion: **D54/100** Lay Bunhak WRI, A142 [“when the ship arrived in the middle of the sea and they encountered fighting they had to communicate to the regiment and then the regiment continued communicating to the division. But the division gave the direct orders to the fighting ships without communicating through the regiment again for the sake of speed”].

1621 **D114/126** Ou Kim WRI, A26 [“If we complained that we did not get enough or that we had too much work to do, they would accuse us of opposing the Party. That was a dictatorial time. If they had us to go to the right, we had to go [to] the right. If they ordered us to go to the left, we had to go to the left. We could not question or wonder about anything”].

1622 **D114/20** Mak Chhoeun WRI, A1 [“Q: Was there any military court system within Division 164 to try those soldiers who committed mistakes? A1: No, there was not such a court”]; **D114/16** Sok Vanna WRI, A17, 20 [“Q: While you were working in the military and naval units in Kampong Som between 1975 and 1979, did you notice if there were courts or authorities were established to conduct trials, seek justice, and resolve problems for the people? A17: No, there were none. At that time, both the people and the military were arrested and imprisoned, and others were killed straightaway. When they arrested anyone, they would take that person to be killed. There was no resolution or negotiation. [...] Q: Was there any unit or institution where people could protest or complain about their arrest. A20: No, there was not”]; **D114/31** Moul Chhin WRI, A48-49, 180-181 [(Battalion 386 (former Sector 37) combatant) “All the fishermen were sent by boat to the dock on the island and escorted to the regimental headquarters, and it ended right there. That was the court. Q: After they were sent to the regimental headquarters, where were all the fishermen taken? A49: They were taken to other places for execution [...] A180: There were no real courts. The commander of the battalion/regiment was both judge and court Q: Were courts, judges, lawyers, and laws? A181: No, there were not”]; **D114/85** Chet Bunna WRI, A32-33 [“They did not talk about the judiciary system, judges, or official charges from any judiciary system regarding the prisoners. They just said that Angkar had to [smash] the traitors. Q: Who said this? A: Meas Muth said this”]; **D114/126** Ou Kim WRI, A27 [“Q: During the

Khmer Rouge era was there any court system where individuals could complain about how they were treated? A27: We did not have any rights. We could not report problems or file complaints anywhere”; **D114/58** Sam Saom alias Ket WRI, A11 [“I do not know about any judicial system during the Democratic Kampuchea era. I just knew that those people were arrested [...] I did not see or hear about any judicial system during the Democratic Kampuchea era”]; **D54/122** Lak Saphan WRI, A11-12 [(Civilian in Ream) “Q: Who made judgments or punished people who lived where you lived for their wrongdoing? A11: It was hard to tell at that time because there was no judge. There were only soldiers. I observed that people disappeared and never returned [...] A12: I saw only soldiers, and I saw no judge. We were very afraid of the soldiers. If someone stole something or competed to get food, he or she would disappear. At that time, they made decisions based on their feelings. In short, the soldiers just did what they wanted. There was no one to make judgments or to question the activities of the soldiers”]; **D114/48** Sok Ngon WRI, A26 [“Q: Were there any courts in Kampong Som at that time? A26: No, there were not”]; **D114/116** Svay Saman WRI, A44-45 [“Many people from various battalions, including my older cousin, disappeared; we were afraid of losing our lives. Q: Was there a court system that allowed the people to file a complaint about such disappearances? A45: No, there wasn’t”]; **D114/89** Seng Sin WRI, A167 [“Q: Were there any proper procedures in transferring you to the production unit? A167: I never heard of any procedures. We were not permitted to refuse orders or make any complaints”]; **D54/104** Ek Ny (Ni) WRI, A12-13 [“Q: Did you know if there were courts of law during Democratic Kampuchea? A12: No, there were not. Q: During the disarmament and after the disappearance of leaders and soldiers of Division 164, were there legal procedures to be implemented or followed regarding the purges of and charges against those who were accused of being traitors, KGB agents or CIA agents? A13: During that time, there were [not] any procedures. Those who were arrested had not been informed in advance”].

1623 **D4.1.191, D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, EN 00185022-23 [“under the DK, there were no courts, no prisons, no minister of justice. There was a national assembly but it never met. The chairman of the supreme court was arrested and brought to S-21, Kang Chab. So, anyone who entered S-21 whether there was a confession or not, could be killed with no problem at all. So, the purpose of a confession was not a legal one, like it was everywhere else [...] anyone arrested would certainly die”]; **D4.1.1109** Kaing Guek Eav WRI, EN 00177588 [“Q: Do you confirm that there were never any procedural safeguards aimed at assessing the necessity of arrest and detention and granting detainees a trial before they were executed? A: I confirm that the Party took all the important decisions, ruling the country in an exclusive and absolute manner [...] These principles were obviously not compatible with the existence of tribunals and procedural safeguards”]; **D114/37.1.73** David Chandler, T. 6 Aug 2009, 10.20.45-10.22.38 [“there were no laws, no judges, no lawyers, no courts in Democratic Kampuchea. There’s a Court was mentioned in its Constitution and a Judge was named head of that Court who was later purged at S-21. But no trials took place”].

1624 As an example of Division 164 persons who was forced to denounce associated traitors at S-21, *see* Hang Doeun alias Dim’s confessions: **D234/2.1.55** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00224085 **D1.3.18.1** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession; **D1.3.18.2** Hang Doeun or Hoeng Doeun alias Dim S-21 Confession, EN 00759713-17, KH 00177026-30 [Lists 94 “traitorous forces within Division 164”, including cadres from the committees of Division 164, Regiments 62 and 63 and numerous Battalions and companies]. *See also* **D54/6.1.14** Kaing Guek Eav alias Duch, T. 15 Jun 2009, 10.20.50-10.24.05, [“people were arrested based on the implication in the confessions”]; **D4.1.191, D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, EN 00185023 [“the purpose of confessions was so upper echelon could analyse them and find traitors [...] so they could track traitorous networks”]; **D4.1.406** Kaing Guek Eav alias Duch Written Statement, EN 00434343 [“The core work of Special Branch in that era was sending confessions to upper echelon: it was the confessions that upper echelon wanted in order to increase their suspicions and to stupidly continue arresting and killing people, their own flesh and blood”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.50.50-15.52.39 [“We were assigned to interrogate because they want to find out the strings or network of traitors”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.21.40-11.23.23 [“prisoners usually implicated others in their confessions, so we had to search for all those related people”], 15.44.45-15.46.32.

1625 *See, e.g.,* **D4.1.191, D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, pp. 39, 45, EN 00185034 [“We realized that confessions like that, they were excessive and could eventually destroy the CPK. [...] no-one believed it all”].

- 1626 **D4.1.400** Kaing Guek Eav alias Duch WRI, EN 00242880 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”]; **D12** Kaing Guek Eav alias Duch WRI, EN 00680799 [“before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions”]; **D4.1.860** Kaing Guek Eav alias Duch WRI, EN 00403918-19 [“In practice, when a person was implicated in a confession, the superiors informed the head of the unit”]; **D98/1.2.6** Kaing Guek Eav alias Duch, T. 27 May 2009, 09.33.54 [“the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would -- selected some of the names from those from Division 502”], 09.57.12-10.00.15, 10.34.00; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932, [“The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons”]; **D1.3.17.6** Stephen Heder & Brian D. Tittmore, *Seven Candidates for Prosecution*, EN 00393517 [“Thus, confessions were rewritten under the interrogators’ instructions to portray failures in the implementation of CPK economic, military and other policies as resulting from anti-CPK plots directed by foreign intelligence agencies. More particularly, the confessions were crafted to demonstrate that CPK policies were not achieving their goals because the structures that CPK leaders had created to implement those policies had been infiltrated by Cambodian agents of CIA, KGB, Vietnamese and other suspected enemies”].
- 1627 **D54/115** Neak Yoeun WRI, A15-27 [describing study sessions held at Kampong Som market after the arrest of Mom Chin alias Yan, commander of Regiment 63 which were organised and presided over by Meas Muth. Soldiers “from different islands and land bases” were taught a slogan “if we clear the grass, we must root it out” and Meas Muth required attendees to answer questions including “if any one of us had ever worked with Yan in the past”. After the session, “three to four persons, who used to work directly under Yan, disappeared”. The witness concluded that “the goal of the study session and of making the biography was to screen for those persons”].
- 1628 **D114/187** Touch Soeuli WRI, A73 [“arresting and leading away are different. ‘Leading soldiers away’ merely means nothing more than leading them to board vehicles with protection from guards. Those soldiers were only ‘taken’ onto vehicles, and that they were then under protection. Arresting means being seized and bound. Thus, there could not be any seizing and tying up because there were so many persons”].
- 1629 *See, e.g.,* **D54/12** Pres Meas WRI, A23 [“When someone was taken away and disappeared, nobody knew where the person was sent; they always said that they were taking the person to be educated. When they took someone to be killed or to be sent to another unit or to get married, they said that they were taking that person to be educated”]; **D114/135** Nob Phan (Nub Phorn) WRI, A3-5 [Former Battalion 386, Company 420 member posted on Koh Tang explaining that in late 1976 his commanders were all sent to study and disappeared]; **D114/31** Moul Chhin WRI, A19, 91 [“company commanders and above were taken away and killed under the pretext that they were being taken to study [...] A91: Every time battalion / regiment commanders were called away to study at the cinema in Kampong Som, they disappeared and we never saw them return [...] After months passed, they still did not return”]; **D114/105** Koch Tuy WRI, A79 [“They said that people of Sector 37 were traitors and planned to flee to Vietnam, and then they arrested and killed all the senior chiefs there under the pretext that they would call them to attend the study sessions”]; **D54/97** Khoem Yat WRI, A10 [“After they arrested Dim, they continued to arrest the lower-ranking personnel. At Kang Keng, they had us to farm rice with hoes [...] First they came to call us using the pretext that *Angkar* had called us to study. When we arrived, they had us start working the rice fields right away. Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything”]; **D54/104** Ek Ny (Ni) WRI, A13 [“During that time, there were [not] any procedures. Those who were arrested had not been informed in advance. Those who were called to attend study sessions disappeared. Invitation letters to attend study sessions were issued by the division. After the disappearance of the leaders, they made announcement to soldiers to be vigilant with their duties such as guarding and not to be involved with enemies’ activities”].
- 1630 **D54/114** Hem Sambath WRI, A45-51 [stating that she personally witnessed “educated” neighbours – a family of around 5 “new people” - being taken away by Khmer Rouge soldiers on the pretext of being moved to a new cooperative. The Khmer Rouge soldiers informed her group chairperson who informed the witness that “the new people were taken to live in Teuk Sab.” The witness knew that the family had been executed because the Khmer Rouge soldiers taking them away told them that there was no need to take rice with them and she then saw the same trailer returning an hour later with the family’s clothes].
- 1631 **D1** Introductory Submission, paras 55-57.

- 1632 **D114/111** Sok Lang WRI, A6 ["Wat Enta Nhean Pagoda is also known as 'Wat Kraom Pagoda.'"]; **D54/64** Din Chun WRI, A1 ["This pagoda is called Wat Enta Nhean Pagoda or Wat Kraom"]; **D54/33.1** Y Chhon DC Cam-Statement, EN 01073817 ["Q: How about Wat Kraom? An uncle has told me that those who had committed offences were sent to Wat Kraom. Is it correct? A: Where was Wat Kraom? Q: It was called Wat Enta Nhean Pagoda."]; **D54/106.2** Sann Kan alias Buth DC-Cam Statement, EN 01509224 ["Wat Enta-nhean Pagoda was called Wat Kroam"].
- 1633 *See, e.g.,* **D114/40** Moul Chhin WRI, A36 ["Q: In your previous interview you mentioned your imprisonment in Wat Enta Nhean Pagoda. During the location identification, we took you to a pagoda in Kampong Som called Wat Enta Nhean Pagoda or Wat Kraom Pagoda. Was that the place where you were detained? A36: Yes, it is"]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971213 ["Wat Enta-nhean was in Kampong Som"]; **D54/29** Liet Lan WRI, A22 ["According to my knowledge, Wat Enta Nhean Pagoda was located on top of a mountain in Kampong Som"]; **D114/77** Svay Sameth WRI, A22 ["I heard that Wat Enta Nhean Pagoda was in Kampong Som"]; **D54/48.3** Em Sun WRI Annex: Administrative Map of Mittapheap District, KH 00969463 [marking Wat Enta Nhean]; **D114/30** Wat Enta Nhean Security Center Witness Ms. Din Chun and Witness Mr. Nuon Yoem Site ID Report, EN 01049146, 01049152 ["The site is located in the town of Kampong Som/Sihanoukville within the compound of the monastery of WETN. [...] Photograph depicting the location of Wat Enta Nhean"].
- 1634 As detailed in the *Division 164 (Former Division 3) Authority Structure* section, the exact location of Division 164 Headquarters appears to have changed during the course of the DK period, from an area in the immediate vicinity of Phsar Leu market, north of the current Ekareach Street (*see* **D54/48** Em Sun WRI, A8, 46 and **D54/48.3** Em Sun WRI, Annex: Administrative Map of Mittapheap District as marked by Em Sun, KH 00969463 [marking Wat Enta Nhean and Meas Muth's first office]) to a site south of Phsar Leu Market and north east of the Sokha Hotel. *See, e.g.,* **D54/72.2** Mut Mao WRI, Annex: Tourist Map of Sihanouk City as marked by Mut Mao, KH 00979285 [on which she circled the location of the internal office] which accords with the location identified by the OCIJ. *See, e.g.,* **D114/46** Wat Enta Nhean Security Center and related sites Witness Mr. Soem Ny Site ID Report, EN 01065174 [marking 'Div 164 HQ']. Witnesses and the site investigations place this location around 2 kilometres from Wat Enta Nhean. *See, inter alia,* **D54/26** Pak Sok WRI, A3 ["Meas Mut's command office and the house he was staying were around two kilometres away from Wat Enta Nhean pagoda"]; **D2/22** Wat Enta Nhean Security Center Site ID Report, EN 00634150 ["The distance to the Division 164 HQ was around 2.4km (air distance) to Wat Enta Nhean"]; **D114/46** Wat Enta Nhean Security Center and related sites Witness Mr. Soem Ny Site ID Report, EN 01065177 ["By reference area, Wat Enta Nhean was within the AOR of Division 164 whose HQ was within about 2.4km [of] the security center in the city of Kampong Som"].
- 1635 **D54/26** Pak Sok WRI, A3 ["Meas Mut's house was at his working office"]; **D54/48** Em Sun WRI, A7 ["I only knew that the first office was located next to Phsar Leu Market. That office was a brick house and Meas Mut stayed in that office as well"]; **D54/71** Mut Mao WRI, A20 ["What was the function of that Inner Office of Division 164? A20: It was the house where Meas Mut stayed"].
- 1636 **D2/4** Pauch Koy WRI, A21 ["When I arrived in July 1979, temple building was shattered to the ground, but the two monks houses and the eating hall were still in shape"]; **D54/65** Din Chun WRI, A36 ["There was only one dining hall and one or two monk's residential buildings"]; **D2/22** Wat Enta Nhean Security Center Site ID Report, EN 00634143 ["Witness Touch Soeu Ly identified the 'first house' - the monk house; [...] the 'second house' [and] [...] [t]he third house 'the eating hall'"], EN 00634156-00634169 [Maps, GPS coordinates and photographs of the three buildings]; **D114/39** Moul Chhin WRI, EN 01079213, A2 ["EN 01079213: The witness could identify the exterior of the former pagoda's dining hall [...] The witness also indicated the location of a monk dormitory and the entrance gate of Wat En Ta Nhean Pagoda"]. *See also* **D1.3.13.12** Sok Lang OCP Statement, EN 00217568 ["The Wat had been used by KR troops, and that when they left, only two of the monastery buildings were left standing"].
- 1637 **D2/15** Touch Soeuli alias Soeu Touch WRI, A14-15 ["Q: At that time where did the commander of that special unit set up their command base? A14: When he first arrived, he stayed in the National Bank building near the port. Two to three days later, he moved to station in Wat En Ta Nhean Pagoda. Q: Yesterday you showed us a monk house in the compound of the Wat En Ta Nhean Pagoda. Was it the house in which he stayed? A15: Yes, it was the house on the north part, which was built east west along the sun path"]. *See also* **D2/22** Wat Enta Nhean security center Site ID Report, EN 00634143, FR 00725839, KH 00662109-10 ["Witness Touch Soeu Ly identified the 'first house' - the monk house - as the place where he stayed by himself with the commander of Battalion 450"].

- 1638 **D2/15** Touch Soeuli alias Soeu Touch WRI, A18 [“The medic and the radio communication operator stayed in the far west room. Next to it was the room of the commander, and the third room next to that was the room in which I, the messenger, stayed. At that time, the commander, the medic, the radio operator, and the messenger stayed next to each other. The room in the middle on the ground floor was used as a kitchen. As for another house and a hall behind, there was no one living in”]. *See also* **D114/187** Touch Soeuli WRI, A18 [“At that time, there at the pagoda location there was a raised open area, at which Bang Sa Samoeun there had us locate in order to place two-way radios. There could be good radio communication there because there was high frequency”].
- 1639 *See* **VIII.C.3. Wat Enta Nhien Security Centre – Crimes - Imprisonment.**
- 1640 **D54/88** Soem Ny WRI, EN 01055496 [“The witness said that at the time there were small huts, like the huts we saw near the place where we sat for the interview, and prisoners were detained in those huts”], A1-2 [“I saw around 20 huts, and there were around 40 or 50 prisoners. I do not know the exact number of the huts. The huts were not in rows. They were scattered, built in gaps between rocks and under big trees in the pagoda compound as well as in the lower part of the pagoda compound [...] A2: The huts did not have any walls. Their roofs were made of thatch or palm leaves. Each hut was around four by four metres in size”]. *See also* **D114/46** Wat Enta Nhien Security Center and related sites Witness Mr. Soem Ny Site ID Report, EN 01065186-187 [“Photographs depicting the location of the former prisoners’ shacks”].
- 1641 *See* **VIII.C.3. Wat Enta Nhien Security Centre – Crimes - Murder, Extermination, and Enforced Disappearances.**
- 1642 **D2/4** Pauch Koy WRI, A36-37 [“The surface of the field was not flat. It was an inclined ground. They planted many rows of lemon trees [...] Q: When you said they, whom do you refer to? A37: I referred to Pol Pot”]; **D2/22** Wat Enta Nhien Security Center Site ID Report, EN 00634150-51 [“East of the upper, center pagoda complex, the terrain [descends] and leads through stairs to the lower terrain which was during the DK a lemon plantation/ grave field. Today some more monastery halls are located on this piece of land, followed by civilian houses outside the monastery compound”], 00634170-00634171 [photographs of the lemon plantation as identified by Pauch Koy].
- 1643 **D114/282** Ek Ny WRI, A6 [“On 18 April, Division 3 entered Kampong Som”]. *See also* **D114/69** Kuy Sambath WRI, A1 [“On 18 April, the Khmer Rouge came to take control of Kampong Som Province”]; **D114/282** Ek Ny WRI, A22 [“They began sending them on 18 (April 1975). At that time, the sector [37] soldiers entered Kampong Som without resistance from the Lon Nol forces because the Lon Nol forces had already laid down their weapons”]; **D114/68** Kuy Sambath WRI, A9 [“On 17 April 1975 when the Khmer Rouge soldiers captured Phnom Penh, the Khmer Rouge soldiers in Kampong Som also captured Krong Kampong Som. The Lon Nol soldiers were prepared to welcome the Khmer Rouge in Krong Kampong Som. At that time, Krong Kampong Som was surrounded by the Khmer Rouge. Then, the Khmer Rouge soldiers arrived in Krong Kampong Som in many Jeeps”].
- 1644 **D2/4** Pauch Koy WRI, A7 [“Q: On 17 April 1975 when Kampong Som fell, did you recall if these two pagodas were still functioned as the religious places? A7: Yes, but they expelled all people and monks out on the day the Khmer Rouge arrived. The monks and people left on the National Road 4, carrying with them poultry, pots and pans and dishes”].
- 1645 **D2/15** Touch Soeuli WRI, A12, 14, 25 [“Next morning, on 18 April, the Battalion 420 and the special unit were sent to Kampong Som town. The Battalion 420 was sent to station in Ream and the special unit [Battalion 450] was sent to Kampong Som. After my commander, Sar Samoeun, had been recovered from his wound, he was sent to command his special unit in Kampong Som again. At that time he came to take me from Ream to stay with him in Kampong Som [...] A14: When he first arrived, he stayed in the National Bank building near the port. Two to three days later, he moved to station in Wat En Ta Nhien Pagoda [...] A25: I stayed there from May until August or September 1975”]; **D114/187** Touch Soeuli WRI, A17-18 [“Q: Can you tell us where Battalion 450’s office was located? A17: When the 450 unit of organization arrived in Preah Sihanouk City in 1975, we stayed in the area of the treasury, Lumhekay Cape and were there at Wat Enta Nhien Pagoda and other places right there in Kampong Som area [...] A18: At that time, there at the pagoda location there was a raised open area, at which Bang Sa Samoeun therefore had us locate in order to place two-way radios. [...] At that time, back there in 1975, I was also at Wat Enta Nhien Pagoda”].
- 1646 As explained below, two American servicemen were detained at Wat Enta Nhien in May-June 1975. *See also* **D54/98** Heang Ret WRI, A88 [“Q: Did you go to Wat Enta Nhien Pagoda? A88: I went to Wat Enta Nhien Pagoda once in 1975. I saw that the pagoda was quiet and no one was there; and it was clean. I entered the pagoda after the seizure of the Mayaguez”]; **D54/102** Ek Ny WRI, A13 [“I used to go to Wat Enta Nhien

Pagoda shortly after the liberation in 1975. That had been before the time they converted it into the security center [...] when they started having problems with the traitor. I did not know exactly when they started using that Pagoda as the security center”; Witness Touch Soeuli stated that there were no prisoners at Wat Enta Nhien when he left for the navy with Sa Moeun in August or September 1975 (see **D2/15** Touch Soeuli alias Soeu Touch WRI, A19, 25 [“Q: Did you say that at the beginning there was no prisoner staying in that place? A19: Yes, it is true. [...] Q: Did you stay for the whole time in Wat En Ta Nhien Pagoda during that time? A25: I stayed there from May until August or September 1975. Later on I left the Pagoda to stay on a hill about 1,500 meters east of the Pagoda. Two to three months later, perhaps in November or December 1975, I went to [...] study politics”]. In a later WRI, Touch Soeuli dated his departure in October or November 1975 (see **D114/187** Touch Soeuli WRI, A20-21 [“Q: Do you know the year in which a security office emerged? A20: I do not know in what year it emerged. The time that I left that place was maybe October or November 1975. I left to study at the movie theatre school Q: Were prisoners detained at Wat Enta Nhien Pagoda when you left that pagoda? A21: There were none. When I left there, we all left together”].) Since Sa Samoeun was assigned to Regiment 140 when it was created in August 1975, the earlier date is likely the most accurate.

1647 **D54/98** Heang Ret WRI, A89-90, 96 [“That security office [speaking about Wat Enta Nhien] was used to temporarily detain people who had committed minor mistakes. Then they sent those prisoners away, but I do not know where they sent those prisoners. [...] A90: It happened in 1975. Q: Do you know when the pagoda was used a security office? A96: I know that the pagoda was used as a security office three months after liberation on 17 April 1975”]; **D114/217** Neak Khoeurn WRI, A9 [“I heard that Wat Entanhien Pagoda was a place where they put prisoners. At the time, we led each other to wander, in 1975 or 1976, I have forgotten which because it was a long time ago. I went with two or three others, walking around to find potatoes to pull up to eat. I suddenly walked past the front of that pagoda and I saw chained prisoners”]. See also **D54/102** Ek Ny WRI, A13 [“I used to go to Wat Enta Nhien Pagoda [...] They [Khmer Rouge] began using that Pagoda as the security center when they started having problems with the traitor”].

1648 **D54/32** Soem Ny WRI, A18, **D54/37** Soem Ny WRI, A2, and **D54/88** Soem Ny WRI, A9 [confirming that he witnessed the security centre operational by 1976]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070550 [“Q: [speaking about Wat Enta Nhien Pagoda] When was that site active? A: It was active since late 1976. Q: Late 1976? A: Yes! Q: It was until when? A: Until 1979”]; **D1.3.12.20 (also D4.1.639)** DK Report of “Secret Telephone Call” from Meas Muth to Son Sen, 12 Aug 1977, EN 00233972, FR 00623197-00623198, KH 00020912 [Detailing the capture of mainly Thai fishermen at sea and their subsequent questioning in Kampong Som]; **D54/26** Pak Sok WRI, A1 [“I did not know when the Wat Enta Nhien Pagoda Security Office began operations. In 1977, while I was living there, I noticed that the security office at Wat Enta Nhien Pagoda was already in operation, and operations continued until the Democratic Kampuchea Regime collapsed in 1979”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A27, 41 [“Q: In 1977 you went inside Wat En Ta Nhien Pagoda for a short while and saw the prisoners there. Can you describe in more details what you saw there? [...] A27: I met with an acquaintance who whispered to me that there were prisoners detained in the rooms on the ground floor. Because I wanted to know whether or not it was true, I walked pass the front door of the room. It was true that the prisoners were inside. [...] A41: the situation in general in 1977 was very chaos, and even I was scared for my self”]; **D114/187** Touch Soeuli (Touch Soeurlly) WRI, A34 [“Q: Do you remember the month in 1977 when you returned to the pagoda? A34: I do not remember the date; I only know that it was in 1977”]; **D54/48** Em Sun WRI, A44 [“When I was working at the port, I sometimes walked past Wat Enta Nhien Pagoda. I saw the prisoners were working there and there were guards. Everybody knew that Wat Enta Nhien Pagoda was the Security Centre of Division 164. I knew that it was the security centre at the end of 1977, or early 1978”].

1649 **D114/40** Moul Chhin WRI, A1-2 [“I was imprisoned in Tuek Sab Prison for three days before they took me to be imprisoned in Wat Enta Nhien Prison for an additional three days. Later they released me, and I travelled on foot from Wat Enta Nhien Pagoda to Tuek Sab where I rested for one night. The next morning I saw the Vietnamese soldiers arriving, and I was released from the prison at that time [...] A2: After I was freed from Wat Enta Nhien Pagoda [...] they had me return to Tuek Sab [...] Their intention was to assign me to carry wood to the saw mill, but I did not, because the Vietnamese soldiers arrived”]. See also **D114/31** Moul Chhin WRI, A160 [“It was a former pagoda, and since it had large compound it was used to detain prisoners. To my knowledge, this pagoda was used as a prison until the end of the Khmer Rouge regime in 1979”].

1650 **D114/66** Chet Bunna WRI, A14 [“Q: Did you ever hear about a place called Wat Enta-nhean Pagoda also

known as Wat Kroam? A14: Yes, it was the prison of the Division 164 of Ta Mut”]; **D54/102** Ek Ny WRI, A6 [“Wat Enta Nhien Pagoda was the security center and detention center of Division 164 under Meas Muth”]; **D54/25** Pak Sok WRI, A23 [“When I was in Regiment 140, I lived in a house near Wat Enta Nhien. Wat Enta Nhien Pagoda was a prisoner detention office”]; **D54/26** Pak Sok WRI, A4, 6-7 [“I saw the fence built from barbed-wire with wooden poles. I did not know what was inside because I dared not approach it [...] Q: What level was the Wat Enta Nhien Pagoda Security Office under the control of? A6: The Wat Enta Nhien Pagoda Security Office was under the control of Division 164. Q: How did you know that it was under the control of the division level? A7: Because it was a restricted site. Whenever a site was restricted, it was controlled by the division”]; **D114/31** Moul Chhin WRI, A160 [“Q: What do you know about Wat Enta Nhean Pagoda? A160: It was a former pagoda, and since it had large compound it was used to detain prisoners”]; **D114/40** Moul Chhin WRI, A4, 36, 45 [“Tuek Sab Prison and Wat Enta Nhien Prison were managed by Division 3 of the military [...] Q: In your previous interview, you mentioned your imprisonment in Wat Enta Nhien Pagoda. During the location identification, we took you to a pagoda in Kampong Som called Wat Enta Nhien Pagoda or Wat Kraom Pagoda. Was that the place where you were detained? A36: Yes, it is. [...] Q: At that time did they know about Wat Enta Nhien Pagoda? A45: At that time they only knew that that place was a detention site”]; **D54/48** Em Sun WRI, A44 [“Everybody knew that Wat Enta Nhien Pagoda was the Security Centre of Division 164”]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070563, FR 00976267, KH 00964137 [“Only Mut was in charge and made the decisions there [...] Meas Mut was in charge of the army. Q: Thus, the army controlled Wat Enta Nhien Pagoda? A: Yes! The army was in control”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“The witness stated that the Wat at Eng Tea Nhien was a detention facility [...] The detention facility was under the 1st Division, led by Meas Mut who was in charge of the city”]; **D54/111** Sam Phin WRI, A14 [“Q: Have you heard about a place in Kampong Som called Wat Enta Nhean? A14: Yes, I have heard of Wat Enta Nhean. It was a prison or security centre”]. *See also* **D1.3.13.13** Touch Soeuli (Touch Souley) OCP Statement, EN 00217575 [“The witness stated that Wat Eng Tea Nhien was a detention facility. [...] The Wat was the Division detention facility. He knew from his colleagues that it was a detention facility”]; **D1.3.13.1** Pauch Koy (Boch Koy) OCP Statement, EN 00217557 [“During the Khmer Rouge regime the Wat was used as a detention centre”].

1651 **D114/65** Chet Bunna WRI, A9 [“The territory under Meas Muth’s control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth’s control”]; **D54/51** Meas Voeun (Svay Voeun) WRI, A17 [“The navy controlled the mainland from Veal Renh to Kampong Som”]; **D114/79** Kang Sum WRI, A83 [“There was only 164 in Kampong Som Province”]. *See also* **D2/22** Wat Enta Nhien Security Center Site ID Report, EN 00634139, FR 00725835, KH 00662103 [“Wat Enta Nhien was a security center during DK in the AOR and under the command of Division 164 (Div 3)”].

1652 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070563 [“Q: But Wat Enta Nhien was not under the control of Ta Krin? A: Right. Q: Only Ta Mut went there? A: Yes! Only Mut was in charge and made the decisions there, but the supplies were provided by Ta Launh. [...] A: [Mut] was responsible exclusively there”]. *See also* **D114/31** Moul Chhin WRI, A33 [“Launh was responsible for logistics and fisheries and was stationed at Kampong Som”].

1653 **D2/15** Touch Soeuli WRI, A23-24, 30 [“this unit 450 was assigned to be in charge of the security matters. Q: Was it the Wat En Ta Nhien Pagoda Security Center? A24: It was not only for the place in Wat En Ta Nhien Pagoda [...] Q: At the time [1977] you went inside Wat En Ta Nhien Pagoda, were the guards there the troops of Battalion 450? A30: Yes, they were”]; **D54/98** Heang Ret WRI, A12, 92 [“some soldiers [in Battalion 450] were sent to defend different places in Kampong Som. Some were sent to defend the coast [...] and Wat Enta Nhien pagodas. [...] A92: I know that the security office [at Wat Enta Nhien] was supervised by the messenger(s) of Battalion 450”].

1654 *See above* **VIII.C.2 Arrests and Detention in Division 164 Security Centres – Execution of Arrests.**

1655 **D54/88** Soem Ny WRI, A13 [“As far as I know, he went to Wat Enta Nhien Pagoda once a month [...] He went there once a month after he returned from the meeting at Stueng Hav”]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070552 [“Q: But did he go to Wat Enta Nhien Pagoda as well? A: He went there once in a while”].

1656 **D54/32** Soem Ny WRI, A38 [“I think Ta Mut came to see the persons in authority, and to examine the situation at Wat Enta Nhien Pagoda”].

1657 **D54/88** Soem Ny WRI, A12-15 [“Meas Mut transported food in his jeep for the guards at Wat Enta Nhien Pagoda. His Jeep stopped at the guard house to deliver the food to the guards [...] A13: As far as I know, he

went to Wat Enta Nhien Pagoda once a month to bring food for the guards [...] A14: I believe I saw Meas Mut transport food for the guards at Wat Enta Nhien once a month. [...] A15: I learned from two guards at Wat Enta Nhien Pagoda that Meas Mut brought food for them”].

1658 See para. 441. See further **D54/32** Soem Ny WRI, A37 [“For example, on his way back from Ream or Kang Keng, Ta Mut just popped in for a short time at Wat Enta Nhien Pagoda, then he returned to his house at Psar Leu Market”]; **D54/30.1** Soem Ny DC-Cam Statement, EN 01070552 [“Q: Did Ta Mut ever go there? A: He visited there as well. Q: Was his house near that site [Wat Enta Nhien]? A: Mut’s house was there”].

1659 **D54/88** Soem Ny WRI, A13 [“He went there once a month after he returned from the meeting at Stueng Hav”].

1660 **D54/32** Soem Ny WRI, A37 [“For example, on his way back from Ream or Kang Keng, Ta Mut just popped in for a short time at Wat Enta Nhien Pagoda, then he returned to his house at Psar Leu Market”].

1661 **D54/88** Soem Ny WRI, A9 [“That was what I observed from mid-1976 to early 1977”]; **D54/32** Soem Ny WRI, A5 [“At that time I saw what happened at Wat Enta Nhien Pagoda because I went to grow vegetables here”].

1662 **D54/88** Soem Ny WRI, A12, 18 [“I saw Meas Mut twice. Meas Mut travelled in an A2 Jeep headed to Wat Enta Nhien Pagoda [...] A18: I saw Meas Mut travel by car to Wat Enta Nhien Pagoda twice”]. See also **D54/32** Soem Ny WRI, A35 [“Ta Mut came [to Wat Enta Nhien Pagoda] by Chinese Jeep along with a driver and a messenger”].

1663 **D54/32** Soem Ny WRI, A35 [“Ta Mut came [to Wat Enta Nhien Pagoda] by Chinese Jeep along with a driver and a messenger”].

1664 **D114/116** Svay Saman WRI, A8 [“Q: When you saw Meas Muth arriving [at Toek Sap] [...] [w]hat kind of car was it that he used? A8: It was the Chinese Jeep”].

1665 **D54/31** Soem Ny WRI, A10-12 [“Meas Mut, Chea Krin, and Ta Launh were on the central committees in Kampong Som. Meas Mut was in charge of the military; Chea Krin was in charge of the port and the kerosene refinery, while Launh was responsible for fishery [...] A11: Meas Mut was the most senior chief; next after him were Chea Krin and Launh [...] A12: They were assigned to take different responsibility under Meas Mut’s control”]; **D22.1.10** FBIS, *Chinese Delegation Visits Kompong Som Area 12 Dec, 14 Dec 1977*, EN 00168349 [“Comrade Chen Yung-kuei and the other Chinese comrades were warmly received and welcomed by Comrade (Mout), secretary of the Kompong Som town KCP Committee and chairman of the Kompong Som town Serve-the-People Committee; Comrade (Krin), deputy secretary of the Kompong Som town KCP Committee; Comrade (Lonh), member of the Standing Committee of the Kompong Som town KCP Committee”].

1666 **D54/32** Soem Ny WRI, A34 [“I only saw Ta Mut and Ta Launh coming in and out there”].

1667 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070558 [“Ta Launh was only responsible for the supplies. Q: Did he provide the food supplies? A: Yes!”]; **D54/32** Soem Ny WRI, A35 [“Ta Launh mostly came alone by Honda CL motorbike”]; **D54/88** Soem Ny WRI, A20 [“Q: How often did you see him [Launh] ride a motorbike to Wat Enta Nhien Pagoda? A20: only once. [...] but I encountered Launh almost every day when he was riding along the road near my plantation. [...] sometimes he told me he was going to Wat Enta Nhien Pagoda to watch the workers there”].

1668 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070558 [“Ta Launh did not interrogate or record the statements. Q: Who did it then? A: Meas Mut did that. Ta Launh was only responsible for the supplies. [...] Q: But the interrogator and the person who sent [the people] away was Ta Mut? A: Meas Mut was the person who sent them away”].

1669 **D1.3.12.20 (also D4.1.639)** DK Report of “Secret Telephone Call” from Meas Muth to Son Sen, 12 Aug 1977, EN 00233972, FR 00623197-00623198, KH 00020912 [“Yesterday, on August 11, 1977 when operating a patrol, we caught two machine boats: 350-[horsepower] and 175-[horsepower]. The latter carried five people with no fishing equipment [...] Later, we questioned them [...] [Now the five men in question have been convoyed to Kampong Som.] We are questioning them more. There is a Khmer among the five arrestees. The rest is Siamese. [On the 175-horsepower boat, there were 15 bamboo rafts (*annotation*: after the telephone communication with comrade Mut, the latter confirmed that there was only one raft)]”. (Items in square brackets have been unofficially translated by the OCP and accord with both the Khmer original and French translation of this document)].

1670 **D1.3.12.20 (also D4.1.639)** DK Report of “Secret Telephone Call” from Meas Muth to Son Sen, 12 Aug 1977, EN 00233972, FR 00623197-00623198, KH 00020912 [Further annotation by Son Sen (13 August 1977) in left margin: “1. We request that questions be put to identify the internal networks”].

- 1671 **D54/16/1R** Audio Recording of Interview with Meas Muth by David Kattenburg, Apr 2009, 42:46-43:50 ["Q: What would have happened to them? They were seized by a boat off Koh Tang, that's what happened, where would they have been taken? Meas Muth: Actually you know there was no any detention centre in Kampong Som, but we call it a place to keep them at least for one week waiting for officials from Phnom Penh to come and pick them up. Q: But he does not mean about these people, about this man, as in people in general. Q: People Seized? Meas Muth: Yes"].
- 1672 **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249697-98 ["Meas Mut recognized the name of the Tinean Pagoda, but had no information on its use as a prison, only to ask rhetorically, 'Why would we use it as a prison for Americans when [we] did not capture any Americans?'].".
- 1673 **D54/26** Pak Sok WRI, A4 ["Q: Can you describe Wat Enta Nhien Pagoda from the outside? [...] A4: I saw the fence built from barbed-wire with wooden poles. I did not know what was inside because I dared not approach it"].
- 1674 **D54/88** Soem Ny WRI, A8 ["There was guard house near the dining hall"]; **D54/48** Em Sun WRI, A44 ["When I was working at the port, I sometimes walked past Wat Enta Nhien Pagoda. I saw the prisoners were working there and there were guards. Everybody knew that Wat Enta Nhien Pagoda was the Security Centre of Division 164. I knew that it was the security centre at the end of 1977, or early 1978"].
- 1675 **D2/4** Pauch Koy WRI, A22 [Witness describing his return to Wat Enta Nhien in July 1979. "At that time there were 5 walled rooms built inside the building. Now we see only the open space there. When I arrived, I saw the building was walled around of its outer parts. Inside the building they had built 5 detention cells"], A22-25, 27-28 [The witness described seeing two sets of shackles in each cell, with 10 shackles in each set, as well as blood stains on the floor]; **D1.3.13.1** Pauch Koy (Boch Koy) OCP Statement, EN 00217557 ["When the witness arrived at the Wat in August 1979 he stated that there were about 50 to 60 sets of shackles in the long monastery that faces east-west on the southern side of the Wat. There were also iron bars and there was blood on the walls. The shackles were bolted to the floor and there was room for about 10 people in each row"]. *See also* **D2/22** Wat Enta Nhien Security Center Site ID Report, EN 00634143, FR 00725839, KH 00662109-10 ["Witness Touch Soeu Ly identified the 'first house' - the monk house - as the place where he stayed by himself with the commander of Battalion 450. In the same house, on the ground floor, five individual cells were observed by the witness Pauch Koy. He saw in July 1979 in each of the 5 cells shackles for at least 20 prisoners"], EN 00634160-61 [photographs of the first monk house depicting the area of the former cells/rooms].
- 1676 **D2/15** Touch Soeuli alias Soeu Touch WRI, A27, 41 ["Q: In 1977 you went inside Wat En Ta Nhien Pagoda for a short while and saw the prisoners there. Can you describe in more details what you saw there? A27: [...] I met with an acquaintance who whispered to me that there were prisoners detained in the rooms on the ground floor. Because I wanted to know whether or not it was true, I walked pass the front door of the room. It was true that the prisoners were inside. [...] A41: the situation in general in 1977 was very chaos, and even I was scared for my self"]; **D114/187** Touch Soeuli WRI, A28-29 ["someone said that there were persons being detained under the monks' quarters. Then we went to sneak a look to see who [...] was being detained and why they were detained there [...] A29: When I walked in to see, I saw there was one person"]; **D1.3.13.13** Touch Soeuli (Touch Souley) OCP Statement, EN 00217575 ["The arrested people were kept in the monks' monastery"]. *See also* **D2/22** Wat Enta Nhien Security Center Site ID Report, EN 00634143, FR 00725839, KH 00662109-10 ["Witness Touch Soeu Ly identified the 'second house' in 1977 as a place where Division 164 members were detained on the ground floor inside"], 00634164 ["witness stands in front of the [...] 2nd monk house, on the same side of the building he had seen the detained people inside the house"].
- 1677 **D2/4** Pauch Koy WRI, A34-35 [When the witness arrived in July 1979, he saw shackles and blood stains in the dining hall]; **D54/65** Din Chun WRI, A15, 37, 40 ["In the dining hall, there were countless iron shackles. A37: I remember I saw detention cells and leg shackles in the dining hall. A40: I saw hoes, spades, cart axes and shackles left in the dining hall"]; **D54/66** Nuon Yoem WRI, A5, 22, 24-25, 27-29 [The witness arrived at Wat Enta Nhien in 1979, when he saw shackles and corpses in the dining hall]; **D114/39** Moul Chhin WRI, EN 01079213, A2 and **D114/40** Moul Chhin WRI, A41, 49, 51 [confirming his own detention in the dining hall of Wat Enta Nhien].
- 1678 **D54/88** Soem Ny WRI, A1-2, 4 ["I saw around 20 huts, and there were around 40 or 50 prisoners. I do not know the exact number of the huts. The huts were not in rows. They were scattered, built in gaps between rocks and under big trees in the pagoda compound as well as in the lower part of the pagoda compound [...] A2: The huts did not have any walls. Their roofs were made of thatch or palm leaves. Each hut was around

four by four metres in size [...] A4: Around three or four prisoners were detained in each hut"]. *See also* **D114/46** Wat Enta Nhien Security Center and related sites Witness Mr. Soem Ny Site ID Report, EN 01065186-187 ["Photographs depicting the location of the former prisoners' shacks"].

1679 **D114/40** Moul Chhin WRI, A54 ["Those prisoners were all the former soldiers of Division 3"]; **D54/102** Ek Ny WRI, A6, 22 ["Wat Enta Nhien Pagoda [...] was the security center for the military [...] A22: After people from different places under Division 164 had been arrested, they were taken to the security center in Wat Enta Nhien Pagoda"]; **D54/25** Pak Sok WRI, A25 ["I heard from other soldiers in my unit that Wat Enta Nhien Pagoda was a detention office for battalion-, regiment-, and division-echelon prisoners before they sent those prisoners to Phnom Penh"]; **D54/32** Soem Ny WRI, A20-21 ["Q: Do you remember the names of your military unit mates who were detained at Wat Enta Nhien Pagoda? A20: I know three of them—Vuth, from Samraong District; Lim, from Prey Kabbas District; Thi, from Prum Ream Commune of Bati District. At that time I knew four other military members who were in the same regiment with me"]; **D54/30.1** Soem Ni DC-Cam Statement, EN 01070546-47 ["It was the pagoda to which soldiers with tendencies were sent. [...] Q: Were all of them troops? A: All of them were troops. Q: Were they combatants from the naval forces—the ones who had been associated with those tendencies and who were arrested and shackled in chains there? A: Exactly"]; **D1.3.13.13** Touch Soeuli (Touch Souley) OCP Statement, EN 00217575 ["The witness [...] stated detainees were kept at the Wat, mainly the forces that were taken away (the ex-East Zone) and some from the division itself who were accused of treason or disloyalty. The Wat was the Division detention facility"]; **D54/48** Em Sun WRI, A52 [Battalion 450/165 cadre: "I remember the event that two soldiers of mine were arrested for a short time at Wat Enta Nhien Pagoda. They went to find resin to stick on the boat, and they were arrested by Wat Enta Nhien Guards. I went to Wat Enta Nhien Pagoda in order to ask them to release my soldiers"]. *See also* **D114/217** Nheak Khoeurn WRI, A19 ["I concluded that they were troops because the port from Wat Entanhien Pagoda here to this, from there to there as well, was for troops. And coming over to this location was the port, and there were no people living with them at that time"].

1680 **D1.3.13.13** Touch Soeuli (Touch Souley) OCP Statement, EN 00217575 ["He stated detainees were kept at the Wat, mainly the forces that were taken away (the ex-East Zone) and some from the division itself who were accused of treason or disloyalty"]; **D54/102** Ek Ny WRI, A13 ["I used to go to Wat Enta Nhien Pagoda [...] They [Khmer Rouge] began using that Pagoda as the security center when they started having problems with the traitor"].

1681 **D54/32** Soem Ny WRI, A5 ["At that time I saw what happened at Wat Enta Nhien Pagoda [...] the other side was the farm of the prisoners who were involved in suspicious activities"].

1682 **D114/66** Chet Bunna WRI, A15 ["We were very afraid of this place because our leaders always warned us to be careful not to make any mistake, otherwise, we would be sent to Wat Enta-nhean Pagoda"].

1683 **D114/40** Moul Chhin WRI, A2 ["After I was freed from Wat Enta Nhien Pagoda they no longer considered me as a 'serious crime prisoner'"]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070562 ["Q: When the workers in Kampong Som made mistakes, or, if they became affiliated with questionable tendencies, were they sent there? A: Only if they had made very serious mistakes"]. *See also* **D54/98** Heang Ret WRI, A95 ["Q: Do you know what happened to the three to four port workers sent to the security office in that pagoda? A95: I do not know what happened to them, but I heard that their unit took them back because they had not committed any serious mistakes"].

1684 **D54/98** Heang Ret WRI, A89 ["That security office was used to temporarily detain people who had committed minor mistakes. Then they sent those prisoners away, but I do not know where they sent those prisoners"]; **D54/32** Soem Ny WRI, A6, 28 ["I could talk to some of them. I asked some prisoners why they were sent there. They told me that they had not committed any serious mistakes. They had just sneaked to uproot tapioca or pick coconuts to eat as they had not had enough food. [...] A28: In my knowledge, Wat Enta Nhien Pagoda was a rehabilitating site for accommodating prisoners who had committed a minor crime, and who mostly were combatants"]; **D54/37** Soem Ny WRI, A4 ["The prisoners who committed severe mistakes were sent to Tuek Sap, while the prisoners who committed minor mistakes were detained in Enthek Nhean Pagoda"]; **D54/88** Soem Ny WRI, A8 ["There was guard house near the dining hall. Around three or four guards lived there with the light-offense prisoners they used to work and cook in the kitchen"]; **D114/40** Moul Chhin WRI, A39 ["They detained me because I made a little mistake, wanting to visit my parents. I did not commit any serious crime"].

1685 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070563.

1686 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070546-47 ["It was the pagoda to which soldiers with tendencies were sent"].

1687 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070548.
 1688 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070547.
 1689 **D114/79.1** Kang Som DC-Cam Statement, EN 01123291.
 1690 **D114/219** San Chuon WRI, A23.
 1691 **D54/105** Ek Ny WRI, A12.
 1692 **D1.3.13.13** Touch Soeuli (Touch Souley) OCP Statement, EN 00217575 ["The witness [...] stated detainees were kept at the Wat, mainly the forces that were taken away (the ex-East Zone) and some from the division itself who were accused of treason or disloyalty. The Wat was the Division detention facility"].
 1693 **D114/40** Moul Chhin WRI, A1, 39 ["I would like to clarify that at first I was imprisoned in Tuek Sab Prison for three days before they took me to be imprisoned in Wat Enta Nhien for an additional three days [...] A39: They detained me because I made a little mistake, wanting to visit my parents. I did not commit any serious crime"]; **D114/31** Moul Chhin WRI, A116 ["Q: What was the reason for your imprisonment? A116: One time during my work at the production unit at Preaek Chak near Ream, I was homesick and missed my parents, so I secretly fled and walked across the forest for one full day to visit my parents at my birthplace, Ta Toat Village, near Prey Nob, about nine kilometres from my workplace. They came and asked for me several times at my parents' house. Eventually, they put me in jail"].
 1694 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070547 ["The people who had committed moral offenses were sent to Wat Enta Nhien Pagoda as well"].
 1695 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070548.
 1696 **D54/102** Ek Ny WRI, A6 ["Wat Enta Nhien Pagoda [...] was the security center for the military. It was not the security center for the civilian. I knew about this through the former soldiers of the Special Unit, who had been also removed from the Unit and sent to the Production Unit"]; **D54/111** Sam Phin WRI, A15 ["Q: Did you know what types of prisoners were sent to this prison at Wat Enta Nhean? A15: Based on what I knew [...] I did not think any civilians were sent there"]
 1697 **D54/98** Heang Ret WRI, A91 ["I heard that the workers at the port who had problems with the authorities were sent to that pagoda"]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070562 ["For the cadres under Chea Krin, if they made a mistake once, they would be corrected. If they made a mistake twice, they would be corrected again, but, if they made a mistake again, they would be re-educated. That meant that they could be sent there as well. Q: Sent to Wat Enta Nhien Pagoda as well? A: Sure"].
 1698 **D54/32** Soem Ny WRI, A21 ["Q: To your knowledge, what type of prisoners were they? A21: They included military, workers, and fishermen from the fishing unit"].
 1699 **D54/46** Em Sun WRI, A27, 35 ["Probably in March 1975, I was transferred from Battalion 415 to a special battalion, Battalion 450 in Division 3. Moeun was the Chief, Sarun Kuok was the Deputy Chief, Thean and I were the Members [...] A35: Back then, I was in charge of Company 2, Moeun of Companies 1 and 3, Sarun Kuok of Companies 4 and 5, and Thean of Companies 6 and 7. After Moeun was injured in the first clash, Companies 1 and 3 were also under my authority"].
 1700 **D54/47** Em Sun WRI, A49 ["we found two other American soldiers in a cave on the south western part of [Koh Tang] island. They surrendered by raising their hands, and we tied them up. They had three rifles, which we confiscated. Then we escorted them to our base. While escorting them to the base, I questioned them and they told me that they had remained on the island because they failed to board their helicopters"].
 1701 **D54/47** Em Sun WRI, A49 ["When we arrived at our military base, we contacted Meas Mut's division by radio and reported that we had shot dead one American soldier and arrested two other American soldiers who had failed to board their helicopters. Meas Mut directly ordered Tak to take a BE boat to transport the two American soldiers and the corpses of the three members of my Regiment 450 (who were killed during the fighting) to Kampong Som"]; **D54/48** Em Sun WRI, A4-5, 7, 14-18 ["the other two soldiers were sent to Kampong Som, but I did not know what happened to them. [...] A5: the other two soldiers were sent to Kampong Som. [...] A7: Ieng was the office chief, and that office was called Ta Mut's office. [...] A14: At first I talked on the walkie-talkie to the radio operators, Saran and Dul. I told them that I wanted to talk to 63/Meas Mut; then 63/Meas Mut/63 talked to me on the radio and he ordered me to bring him the two alive American soldiers. [...] A15: I would like to clarify my answers above. In fact, Meas Mut had never talked to me directly via the radio, only Saran and Dul did. To me, both of them represented Meas Mut. When they talked with me, they passed the command from Meas Mut to me. [...] A16: When I talked on the radio to the representatives, I reported to them about the American soldiers. The radio operators made a report and sent it to Meas Mut; then Meas Mut laid out an order to me through the radio operators, and the operators forwarded Meas Mut's command to me via the radio. Q: What did Meas Mut command? A17: He commanded Tak to

take a B.E motorboat carrying the soldiers of Battalion 410 to Koh Tang Island in order to alternate with my battalion; then he had to ship the two American soldiers and my battalion back to the shore. Q: Was that command from the division commander, Meas Mut? A18: The radio operators called Meas Mut Om. They said that this command was from Om”].

1702 **D54/47** Em Sun WRI, A49 [“Meas Mut directly ordered Tak to take a BE boat to transport the two American soldiers and the corpses of the three members of my Regiment 450 (who were killed during the fighting) to Kampong Som. Later, Regiment 410 was sent to replace our unit. When we arrived in Kampong Som, I handed over the two American soldiers to the general staff of Meas Mut. I did not know where they were taken. I then went back to Kampong Som Port”].

1703 **D26/1/1.1.27** Ralph Wetterhahn, *The Last Battle*, EN 00728231-33 [Recounting Em Son’s account of receiving order “from Kampong Som” pursuant to which he escorted the two Americans from Koh Tang to Kampong Som and on to Wat Enta Nhien where the Americans were detained for one week and then killed at the temple by Khmer Rouge cadres. The two men were dumped at different coastal points, one to the north and one to the south of Wat Enta Nhien]. *See also D114/73.1* Bangkok Post, *Mayaguez Incident veterans haunted by those left behind*, 17 May 2015, EN 01097311 [“Those who have interviewed Mr Son previously said he provided substantial information on the fate of missing marines, describing how and where they were executed at Wat Enta Nhien and where the bodies were eventually dumped. [...] the American vets visited the wat and were told that was where their two colleagues were most probably killed”].

1704 **D54/48** Em Sun WRI, A47 [“Q: We would like the interpreter to read out the paragraphs in the book of Ralph Wetterhahn on the chapter of ‘Last Full Measure’ from the fourth paragraph on page 287 down until the end of page 289. How do you comment? A47: Most essence of the text is truthful; however, I would like to clarify one point that when I came back from Koh Tang Island there was only one boat, and I rode on that boat. I did not have my own boat. I did not know what happened to those American soldiers when they were carried away by the jeep. I just saw their bodies later on”].

1705 **D114/79** Kang Sum WRI, A125 [“Q: Do you know the name of the Seven-Story hotel? [...] A125: It is also called Sokha Hotel”].

1706 **D54/48** Em Sun WRI, A35-36, 38-41, 43 [“About 20 days later I found out that they were killed. One of them was killed next to Kampong Som beach behind the 7-storey hotel, and the other one was killed in the west beneath the ex-King’s Residence. [...] A36: I walked to patrol from the 7-storey hotel area to Kampong Som Port. During the patrol I saw the bodies of those two American soldiers at the two beaches. Q: Did you know what had happened to those two American soldiers before you saw their bodies? A38: I did not know what had happened to them, whether [or] where they had been detained or killed. [...] A39: I arrived at the scenes. The complexion and facial features of the first body were different from those of our Khmer people, and so were those of the second one. Thus I assumed that the two bodies were of the American soldiers. [...] A40: I noticed that those soldiers had long moustaches and long hair. They did not wear soldiers’ uniforms, but they wore dark green shorts, and were bare-chested. Q: Did the two soldiers wear the same type of shorts? A41: Yes, they did. [...] Q: Did you see if the bodies were tied up or were there traces of ligature marks? A43: No, their hands were not tied up and I did not see any ligature marks”].

1707 **D54/48** Em Sun WRI, A45 [“Q: How far was it from the scenes of the corpses to Wat Enta Nhien Pagoda? A45: It was about one kilometre”].

1708 **D54/64** Din Chun WRI, A2 [Describing the female discovered in a grave behind her house “I thought that the corpse was not that of a Cambodian lady because her tibia was longer than mine; I took her tibia from the chain to compare with mine, and it was around 10 centimetres longer than mine”]; **D54/66** Nuon Yoem WRI, A4 [Son of Din Chun describing a corpse found buried in a pit near Wat Enta Nhien: “The second pit was found by my father-checker patterned plastic cloth. After he opened the cloth around the body, he saw a skull with African-like short curly hair and the flesh was black and totally decayed”].

1709 **D114/181** Sem Kol WRI, A47 [“I did not know their unit or the position. I heard that one prisoner was Rin [...] female. She was placed in that Wat Enta Nhien Pagoda. At the time, she was fairly high-ranking in a battalion”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A35 [“I heard from other people that he [Ta Norn] had raped a female prisoner”]. *See also D54/65* Din Chun WRI, A31 [“there were both sexes. I think that the men’s bones were longer than the women’s, and back then, I saw women’s clothes, skirts and bras”].

1710 **D54/102** Ek Ny WRI, A16 [“Those soldiers had told me that during the time of the interrogation and torturing, the female prisoners were completely stripped off their clothes”].

1711 **D54/65** Din Chun WRI, A30-31 [“there were some small bones that must have been children’s. [...] A31:

there were both sexes. I think that the men's bones were longer than the women's, and back then, I saw women's clothes, skirts and bras"; **D54/64** Din Chun WRI, A2-5 [The witness described finding a decomposing woman's corpse buried near Wat Enta Nhien in 1979]. *See also* **D54/66** Nuon Yoem WRI, A3 ["The skull had long black hair almost one metre long. I saw underwear on the corpse, but I do not remember if the corpse had a bra"].

1712 **D2/4** Pauch Koy WRI, A22-24 ["When I arrived, I saw the building was walled around of its outer parts. Inside the building they had built 5 detention cells, and I saw shackles in each cell. [...] A23: I saw a set of ten shackles [...] Q: As we can understand it, you said that there was a set of ten shackles in each cell, is it right? A24: I saw in each cell there were two set of shackles, and there were 10 shackles in each set"]. *See also* **D2/22** Wat Enta Nhien Security Center Site ID Report, EN 00634142, FR 00725839, KH 00662109 ["The evidence suggest[s] that Wat Enta Nhien had a significant capacity by available space to hold at any given time a possible number above 100 detainees inside cells or rooms in the three remaining buildings" (The ICP notes that, at this stage, the OCIJ had not received the evidence of Nuon Yoem who witnessed the 100 corpses in the Wat Enta Nhien dining hall)].

1713 **D54/32** Soem Ny WRI, A15 ["I asked the prisoners whom I met. They told me that they did not know the exact number of the prisoners, but they assumed that there were around 70 to 80 detainees"]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070549-01070550 ["Q: Were there many tendencies-affiliated soldiers held there? A: I asked one of the persons who got rice from me, and he said there were around 70-80 detainees. Q: Were there 70-80 detainees? A: Yes, quite a lot"].

1714 **D54/48** Em Sun WRI, A52 ["I would like to confirm that, in fact I saw those prisoners only once. At that time I rode a bike past that Wat Enta Nhien Pagoda. I saw about 20 prisoners working outside [the prison]. But I did not know whether there were any other prisoners inside Wat Enta Nhien Pagoda or not. I remember the event that two soldiers of mine were arrested for a short time at Wat Enta Nhien Pagoda. They went to find resin to stick on the boat, and they were arrested by Wat Enta Nhien Guards. I went to Wat Enta Nhien Pagoda in order to ask them to release my soldiers. They did not allow me to enter the pagoda, and we solved the problem at the pagoda gate. After I affirmed that those two men were my soldiers, they released them"].

1715 **D114/40** Moul Chhin WRI, A52 ["There were about 20 prisoners shackled in that room"].

1716 **D54/32** Soem Ny WRI, A17 ["The number of detainees was up and down irregularly. Sometimes it was more and sometimes it was less"].

1717 *See* **VIII.C.3. Wat Enta Nhien Security Centre – Crimes - Murder, Extermination, and Enforced Disappearances.**

1718 **D114/40** Moul Chhin WRI, A49 ["When I arrived at the pagoda gate, the soldier who escorted me handed over me to the other two soldiers, and they immediately took me and detained me in the dining hall, shackling me"]; **D54/30.1** Soem Ny DC-Cam Statement, EN 01070551 ["I just knew that the people who were sent there initially were shackled in wooden legshackles at night for three days and three nights"]. *See also* **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 ["When he first went there [to Wat at Eng Tea Nhien] in April 1979 he saw the shackles and blood. On one wall was a place where detainees were shacked by the neck, standing. [...] There were about 10 wooden shackles"].

1719 **D114/40** Moul Chhin WRI, A57 ["They bound the hands and shackled the legs of the prisoners no matter if it was day or night"]; **D54/32** Soem Ny WRI, A5 ["At night those prisoners were shackled on their leg at the detention site."]; **D54/88** Soem Ny WRI, A4 ["prisoners were leg-shackled at night"]; **D54/30.1** Soem Ny DC-Cam Statement, EN 01070551 ["they were still shackled at night"].

1720 **D114/40** Moul Chhin WRI, A52 ["Five or six prisoners were sat face-to-face with each other in rows. Those prisoners' ankles were shackled to an iron bar. What I mean to say is that there were three rows of prisoners and three iron bars. [...] I did not see any prisoners sitting separately. There were about 20 prisoners shackled in that room"]; **D2/4** Pauch Koy WRI, A34 ["Q: [...] Can you tell us in July 1979 when you arrived here, what did you see in the eating hall? A34: I saw two sets of shackles, each consisted of ten shackles. Those shackles were in front of the Buddha statue"].

1721 **D54/66** Nuon Yoem WRI, A28-30 ["The bones were shackled together in a row of about 100 persons. Q: We find it unbelievable that 100 corpses could be shackled altogether in a row. A30: I saw the prisoners' bodies were shackled in a row stretching from the wall on one side to the wall on the other side of the wall along the length of the dining hall building"]. *See also* **D114/30** Marine Division 164 (Div 3) Site ID Report, EN 01049177 ["Stipulating an average shoulder width of 30 cm to 50cm of a person, it can be extrapolated that per one row 39 to 65 people possible could be lined up. This means that a range of 80 to 130 people in one row would be possible if they would be shackled on both side of one row. Concatenating the witness account,

the observation of the investigator at the site and the measurements taken therefore contribute to the credibility of the witness assuming a possible witness account of around 100 corpses”].

1722 **D114/40** Moul Chhin WRI, A51, 57 [“During the course of my three-day detention, I was shackled in the dining hall [...] A57: Those prisoners’ ankles were shackled to an iron bar. All of prisoners’ hands were bound behind their backs, except for me. The fact that their hands were bound and their legs were shackled made it difficult for the prisoners to sleep. Therefore, they slept on their arms. The longer the prisoners were detained in such a position, the more swollen their legs and hands became. They bound the hands and shackled the legs of the prisoners no matter if it was day or night. Therefore, the prisoners mostly slept on their arms”]; **D54/65** Din Chun WRI, A15, 37, 40 [“In the dining hall, there were countless iron shackles [...] A37: I saw detention cells and leg shackles in the dining hall. [...] A40: I saw hoes, spades, cart axles and shackles left in the dining hall”]; **D54/66** Nuon Yoem WRI, A22, 24 [“through the windows and doors I saw many iron leg-shackles and some corpses in that dining hall. [...] A24: There were about 100 decayed bodies with shackles on their ankles”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“When he first went there in April 1979 he saw the shackles and blood. On one wall was a place where detainees were shackled by the neck, standing. [...] There were about 10 wooden shackles”];. *See also* **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070549 [“Q: Where were the people chained? A: Inside the pagoda in the main temple and monastery, but now perhaps, they have built many [more]. In the past, there were few buildings. There was only the dining hall”].

1723 **D2/4** Pauch Koy WRI, A22-25, 29-31 [“Inside the building they had built 5 detention cells, and I saw shackles in each cell. [...] A23: I saw a set of ten shackles, and with them there was a long metal rod which was used for inserting through the shackle rings. [...] A24: I saw in each cell there were two set of shackles, and there were 10 shackles in each set. [...] A25: They were attached to the concrete floor. [...] A29: Each cell had one window and one door. [...] A30: For all cells, each had its own front door. [...] A31: It [each cell] was about 3 square meters”].

1724 **D54/88** Soem Ny WRI, A4 [“There were leg shackles in each hut”].

1725 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“When he first went there [to Wat at Eng Tea Nhien] in April 1979 he saw the shackles and blood. On one wall was a place where detainees were shackled by the neck, standing. [...] There were about 10 wooden shackles”].

1726 **D2/4** Pauch Koy WRI, A27-28, 35 [“I saw blood stains on the wall of the cell in which the prisoners stayed. [...] A28: There were also blood stains on the floor. I could recognize that it was human blood because it looked like the blood of the hog. [...] Q: At that time the eating hall was walled around, when you arrived did you see any blood stains? A35: Yes, there were”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“When he first went there in April 1979 he saw the shackles and blood. On one wall was a place where detainees were shackled by the neck, standing. [...] There were about 10 wooden shackles”].

1727 **D114/40** Moul Chhin WRI, A57 [“Those prisoners’ ankles were shackled to an iron bar. All of prisoners’ hands were bound behind their backs, except for me. [...] The longer the prisoners were detained in such a position, the more swollen their legs and hands became”].

1728 **D114/40** Moul Chhin WRI, A51, 56 [“They let me go outside the dining hall only when I asked them to use the toilet. [...] A56: When we wanted to urinate, sometimes they undid the shackle from the prisoners and took the prisoners to urinate outside the room”].

1729 **D114/40** Moul Chhin WRI, A56 [“Sometimes, they tied the prisoners’ hands and took prisoners to the place for urinating or defecating”].

1730 *See para. 472.*

1731 **D54/88** Soem Ny WRI, A4 [“prisoners were shackled at night. At 4a.m. every morning security guards rang a bell to wake prisoners and brought chains to chain the prisoners before sending them out to work at their respective places”]; **D54/32** Soem Ny WRI, A5 [“After breakfast the prisoners were moved out to clean the [prison] premise; then they lined up for at attention. After that each of them were shackled with one and a half metre chain around their legs, and then they were given a knife each to work in the tapioca farm”]; **D114/217** Nheak Khoeurn WRI, A9, 16-17, 22 [“At that time, we led each other to wander, in 1975 or 1976, I have forgotten which because it was a long time ago. I went with two or three others, walking around to find potatoes to pull up to eat. I suddenly walked past the front of the pagoda and I saw chained prisoners [...] A16: I concluded they were definitely prisoners because they were chained at their feet. [...] A17: One prisoner who was chained at his feet was weaving a basket. [...] A22: I only saw the person whose feet were chained sitting and weaving a basket”].

1732 **D114/40** Moul Chhin WRI, A57 [“Those prisoners’ ankles were shackled to an iron bar. All of prisoners’

hands were bound behind their backs, except for me. The fact that their hands were bound and their legs were shackled made it difficult for the prisoners to sleep. Therefore, they slept on their arms. The longer the prisoners were detained in such a position, the more swollen their legs and hands became. They bound the hands and shackled the legs of the prisoners no matter if it was day or night. Therefore, the prisoners mostly slept on their arms”].

1733 **D114/40** Moul Chhin WRI, A57 [“Those prisoners’ ankles were shackled to an iron bar. All of prisoners’ hands were bound behind their backs, except for me. The fact that their hands were bound and their legs were shackled made it difficult for the prisoners to sleep. Therefore, they slept on their arms. The longer the prisoners were detained in such a position, the more swollen their legs and hands became. They bound the hands and shackled the legs of the prisoners no matter if it was day or night. Therefore, the prisoners mostly slept on their arms. In addition to being unable to move around, the prisoners were not able to swat away the mosquitoes that were biting them. I recalled that sometimes I waved away the mosquitoes for them because my hands were not bound”].

1734 **D54/32** Soem Ny WRI, A30 [“They never got a haircut, but some prisoners had their head shaved”].

1735 **D54/32** Soem Ny WRI, A30 [“Their trousers legs were torn by the chain which was tied around their ankles, and they did not wear shirts”].

1736 **D114/40** Moul Chhin WRI, A51, 56 [“They let me go outside the dining hall only when I asked them to use the toilet. [...] A56: When we wanted to urinate, sometimes they undid the shackle from the prisoners and took the prisoners to urinate outside the room. [...] Sometimes, they tied the prisoners’ hands and took prisoners to the place for urinating or defecating and they loosened the ties so that prisoners could urinate or defecate with greater ease”].

1737 **D114/40** Moul Chhin WRI, A56 [“at other times the guard told us that they did not have time to undo the shackle and therefore did not take prisoners to urinate outside the hall. Unable to leave the room, the prisoners eventually urinated on the floor where they were shackled”].

1738 **D114/40** Moul Chhin WRI, A52 [“When I first entered that room, I smelt urine and immediately felt scared”].

1739 **D2/4** Pauch Koy WRI, A27-28 [*First monks’ building*: “I saw blood stains on the wall of the cell in which the prisoners stayed. Q: How did you know that those were blood stains but not the color of the paint or anything else? A28: There were also blood stains on the floor. I could recognize that it was human blood because it looked like the blood of the hog”], 35 [*Dining hall*: Q: At that time the eating hall was walled around, when you arrived did you see any blood stains? A35: Yes, there were”]; **D1.3.13.1** Pauch Koy (Boch Koy) OCP Statement, EN 00217557 [“When the witness arrived at the Wat in August 1979 he stated that there were about 50 to 60 sets of shackles in the long monastery that faces east-west on the southern side of the Wat. There were also iron bars and there was blood on the walls”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“When he first went there [to Wat at Eng Tea Nhien] in April 1979 he saw the shackles and blood”].

1740 **D114/40** Moul Chhin WRI, A56 [“When we wanted to defecate, they walked us prisoners to the location I showed you, and they stood at a distance of about three or four metres from prisoners and kept guard. They had AK 47s to prevent the prisoners from escaping”]; **D114/54** Site ID Report, EN 01074108-09 [“Photographs depicting the outside area used as a toilet showing the vicinity of the guards to the prisoners relieving themselves”].

1741 **D114/40** Moul Chhin WRI, A56 [“Those guards urged the prisoners to defecate and urinate quickly”].

1742 **D54/32** Soem Ny WRI, A13 [“They were given 50 per cent of the average citizens’ food rations, a can [of rice each] per day. They ate collectively—a ladle of rice each at a time”].

1743 **D114/31** Moul Chhin WRI, A162.

1744 **D54/32** Soem Ny WRI, A30 [“Q: What were the appearance and mentality of the prisoners whom you met at the tapioca farm like? A30: Those prisoners were very thin”].

1745 **D2/15** Touch Soeuli alias Soeu Touch WRI, A31.

1746 **D54/30.1** Soem Ny DC-Cam Statement, EN 01070548 [“During the break, they came out, and prisoners like them usually did not get enough to eat. For me and my colleagues, we had abundant food, so those people came to ask for food from us. Thus, we gave them some food because we knew them. We let them pull up potatoes and burn them to eat, but after they had eaten those, they had to clean their hands and mouths well as no one else could know about it”]. See also **D54/88** Soem Ny WRI, EN 01055501 [“Sometimes the witness gave those prisoners food and cigarettes”].

1747 **D114/187** Touch Soeuli (Touch Soeurly) WRI, A59 [“I remember only Bang Norn who was the person in

- charge. And then Bang Norn was also not able to remain there the whole time. In late 1978, even he disappeared due to the fact it was heard that he was connected to involvement in raping prisoners. However, I do not have clear knowledge of this matter, although I heard that he was involved in raping prisoners”]; **D2/15** Touch Soeuli alias Soeu Touch WRI, A35-37 [“Ta Norn’s story was a little strange. I did not see it with my own eyes, but I heard from other people that he had raped a female prisoner. After he had raped that female prisoner, he released her. However, Ta Norn was himself later arrested. [...] A36: I do not recall it well, but it might take place in late 1977 or early 1978. Q: Can you tell us the name of that female prisoner who was raped by Ta Norn? A37: That prisoner who had been raped by Ta Norn named Reem”].
- 1748 **D54/48** Em Sun WRI, A44, 51-52 [“When I was working at the port, I sometimes walked [past] Wat Enta Nhien Pagoda. I saw the prisoners were working there. [...] A51: I saw those prisoners but I did not know them and I dared not look at them either. [...] A52: I would like to confirm that, in fact I saw those prisoners only once. At that time I rode a bike pass that Wat Enta Nhien Pagoda. I saw about 20 prisoners working outside [the prison]”]; **D54/88** Soem Ny WRI, A4.
- 1749 **D54/88** Soem Ny WRI, A4 [“At 4 a.m. every morning security guards rang a bell to wake prisoners and brought chains to chain the prisoners before sending them out to work at their respective places”]; **D54/32** Soem Ny WRI, A5 [“each of them [was] shackled with one and a half metre chain”]. *See also* **D114/217** Neak Khoeurn WRI, A9, 15-17 [“I heard that Wat Entanhien Pagoda was a place where they put prisoners. At the time, we led each other to wander, in 1975 or 1976, I have forgotten which because it was a long time ago. I went with two or three others, walking around to find potatoes to pull up to eat. I suddenly walked past the front of that pagoda and I saw chained prisoners. I glanced at them, then went on, not daring to remain close, and went back to my location [...] A15: I [...] saw them from afar huddled there sitting [...] A16: I concluded they were definitely prisoners because they were chained at their feet [...] A17: One prisoner who was chained at his feet was weaving a basket”].
- 1750 **D54/32** Soem Ny WRI, A5 [“After breakfast the prisoners were moved out to clean the [prison] premise”].
- 1751 **D54/88** Soem Ny WRI, A4 [“At 4 a.m. every morning security guards rang a bell to wake prisoners and brought chains to chain the prisoners before sending them out to work at their respective places”].
- 1752 **D54/32** Soem Ny WRI, A5, 18 [“I was assigned to grow vegetables at two farms—one was a string bean farm which was adjoining the ex-radio station north of Wat Enta Nhien Pagoda. The string bean farm was adjoining that radio station. Another one was a tapioca farm, which was located east of the pagoda. At that tapioca farm there was a shortcut path, which at one side was my farm and the other side was the farm of the prisoners who were involved in suspicious activities. [...] My farm and theirs were on the opposite side of the path. [...] After breakfast the prisoners were moved out to clean the [prison] premise; then they lined up for attention. After that each of them were shackled with one and a half metre chain around their legs, and then they were given a knife each to work in the tapioca farm. [...] A18: I saw the prisoners at Wat Enta Nhien Pagoda regularly when they came to work at the tapioca farm near my farm.”]. *See also* **D54/30.1** Soem Ny DC-Cam Statement, EN 01070547 [“Consequently, they removed us from the unit, sent us there and shackled us in chains. They would assign us work every day clearing the forest and digging the soil to grow cassava”]. *See further* **D54/37** Soem Ny WRI, A3 [“At that time the guards took the prisoners out to do farming”].
- 1753 **D54/88** Soem Ny WRI, EN 01055501 [“The witness showed us two potato plantations in lower fields southeast of Wat Enta Nhien Pagoda. The witness worked at the potato plantation on the opposite side of the road from Wat Enta Nhien Pagoda. The other plantation was on the other side, the side on which the pagoda was located where the witness saw chained prisoners at work. That plantation was separated from the plantation where the witness worked by a stream. He said he saw chained prisoners working at the plantation and clearing forest. Sometimes the witness gave those prisoners food and cigarettes”].
- 1754 **D54/88** Soem Ny WRI, EN 01055496 [“The witness remembered that there were big trees and large sheets of rock. The witness pointed out mango trees and jack fruit trees near the place where we conducted the interview, explaining that those trees had been planted by prisoners back then”].
- 1755 **D54/88** Soem Ny WRI, A8 [“There was guard house near the dining hall. Around three or four guards lived there with the light-offense prisoners they used to work and cook in the kitchen”].
- 1756 **D114/40** Moul Chhin WRI, A52 [“When I first entered that room, I smelt urine and immediately felt scared”].
- 1757 **D114/40** Moul Chhin WRI, A39 [“While I was detained (for three days), I did not have any hopes of survival. I thought only about death”].
- 1758 **D54/32** Soem Ny WRI, A30 [“they looked so frightened”]; **D114/187** Touch Soeuli WRI, A32 [“In fact, we saw that the person located there was not normal; in other words, had drained face, as if unhappy and

- perturbed and worried about something else, sitting perturbed about a lot of things”].
- 1759 *See VIII.C.3. Wat Enta Nhien Security Centre – Location, Site Description and Operation – 2. Authority Structure.*
- 1760 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 [“The torture facility was in the monastery, in one large hall”].
- 1761 **D54/102** Ek Ny (Ni) WRI, A16.
- 1762 **D54/32** Soem Ny WRI, A5, 17 [“At that time I saw what happened at Wat Enta Nhien Pagoda [...] the other side was the farm of the prisoners who were involved in suspicious activities. Those prisoners were sent to be ‘educated’ and corrected at that pagoda. [...] A17: After some prisoners were regarded as having been ‘educated’ and rehabilitated, they were dispatched to work at the paddy fields, whilst the new ones were sent in”]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070562 [“Q: When the workers in Kampong Som made mistakes, or, if they became affiliated with questionable tendencies, were they sent there? A: Only if they had made very serious mistakes. For the cadres under Chea Krin, if they made a mistake once, they would be corrected. If they made a mistake twice, they would be corrected again, but, if they made a mistake again, they would be re-educated. That meant that they could be sent there as well. Q: Sent to Wat Enta Nhien Pagoda as well? A: Sure”].
- 1763 **D54/48** Em Sun WRI, A52 [“I remember the event that two soldiers of mine were arrested for a short time at Wat Enta Nhien Pagoda. They went to find resin to stick on the boat, and they were arrested by Wat Enta Nhien Guards. I went to Wat Enta Nhien Pagoda in order to ask them to release my soldiers. [...] After I affirmed that those two men were my soldiers, they released them”]; **D114/40** Moul Chhin WRI, A2 [“After I was freed from Wat Enta Nhien Pagoda they no longer considered me as a ‘serious crime prisoner’”]; **D54/98** Heang Ret WRI, A95 [“Q: Do you know what happened to the three to four port workers sent to the security office in that pagoda? A95: I do not know what happened to them, but I heard that their unit took them back because they had not committed any serious mistakes”]. **D54/98** Heang Ret WRI, A89 [“That security office was used to temporarily detain people who had committed minor mistakes. Then they sent those prisoners away, but I do not know where they sent those prisoners”].
- 1764 *See VIII.C.1 Security Centre Network.*
- 1765 **D54/101** Ek Ny (Ni) WRI, A10, 12 [“During that time the leadership of the Division had removed troops of Battalion 386 from the islands and from other places and sent them into a unit called the Production Unit. At that time I heard from the soldiers, who had been removed and sent to the Production Unit with me, saying that brother Rem, the former commander of Battalion 386, was shot dead in front of Wat Enta Nhean Pagoda. They told me that when the soldiers were ordering him to raise his hands, he resisted and punched them back. Those soldiers who were arresting him were from the Special Unit of Ta Mut. [...] After punching those soldiers, Rem jumped out of the car and tried to flee. The soldiers promptly shot him in the head. He fell on the street in front of Wat Enta Nhean Pagoda and died instantly. [...] A12: I heard this story from the former soldiers of the Special Unit, who were later removed and sent to the Production Unit also”]; **D54/102** Ek Ny (Ni) WRI, A1 [“The event in front of Wat Enta Nhien Pagoda took place in late 1976 toward the beginning of 1977. At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit”]; **D54/103** Ek Ny (Ni) WRI, A11 [“During that time, the information about the arrest of the leadership of Unit 386, such as Rem, the commissioner who was shot on his head in front of Wat En Ta Nhean Pagoda”]. *See also D4.1.747* Aek Ny US POW/MIA Statement (Corrected by **D54/101** Ek Ny WRI, A9), EN 00387291, KH 00640517 [“[Rem] was killed in a purge of command personnel from this Division in 1976 near the Annhean (Anyean) Pagoda in Kampong Som”].
- 1766 **D54/101** Ek Ny (Ni) WRI, A11 [“Ta Mut at that time even used that story along with the confessions of some of the arrested [cadres] to teach us in the meeting. He read the confessions and the story to us and announced that those confessed persons had been in the traitor string”]. *See also D54/102* Ek Ny (Ni) WRI, A5 [“Q: Did Meas Muth ever speak about Rem’s story in any other meetings? A5: No, but I heard about Rem’s story through the other soldier because almost all the soldiers knew about Rem’s story”].
- 1767 **D54/102** Ek Ny (Ni) WRI, A5.
- 1768 **D54/66** Nuon Yoem WRI, A5, 22, 24, 27-30 [Witness describing entering Wat Enta Nhien pagoda as a child in 1979. “I first entered the compound of Wat Enta Nhien Pagode about two or three months after my family moved here [...] it was in 1979. [...] A22: At that time, through the windows and doors I saw many iron leg-shackles and some corpses in that dining hall. [...] A24: There were about 100 decayed bodies with shackles on their ankles. There was a very pungent smell near that hall with a lot of maggots crawling all over the hall, together with rice flies inside and outside the hall. There was liquid flowing from the decayed bodies outside

the hall onto the ground around that site. My feet became itchy after I stepped on the ground at that place. [...] A27: When we saw them, we did not remove those bones out of the dining hall. Later on, after monks came to reside at the pagoda, other people and I helped them carry those bones from the hall. [...] A28: I could not know their sex or ages because the corpses had all fully decayed. Some bones had shackles on their legs with their hands tied to the front; some leg bones had shackles and the arms were stretched and tied to a steel pipe on their shoulders behind their necks. [...] A29: The bones were shackled together in a row of about 100 persons. Q: We find it unbelievable that 100 corpses could be shackled altogether in a row. [...] A30: I saw the prisoners' bodies were shackled in a row stretching from the wall on one side to the wall on the other side of the wall along the length of the dining hall building". Witness Din Chun, the mother of Nuon Yoem, described seeing shackles inside the dining room when she later entered the pagoda compound to participate in the clean-up operation: **D54/65** Din Chun WRI, A15 ["At that time, we entered the pagoda to clean up the compound to invite the monks to stay at the pagoda. I saw a dining hall made of wood with concrete walls. In the dining hall, there were countless iron shackles"].

1769 **D54/88** Soem Ny WRI, A3 ["I saw water jars near the dining hall in the lower part of the pagoda compound"].

1770 **D54/65** Din Chun WRI, A15 ["In the compound, there were about 30 water jars, and there were two or three decomposed bodies in each jar. Some water jars were broken, and some were still in good condition"]; **D54/66** Nuon Yoem WRI, A8 ["[On the southeast side of the pagoda] I saw about 20 or 30 large water jars and gasoline drums under the big trees; each of the water jars and gasoline drums contained one, two, or three head-down bodies. I saw maggots crawling all over the water jar rims; each water jar and gasoline drum was fully filled with water. We were very frightened by what we saw, so we did not stay there long"].

1771 **D54/65** Din Chun WRI, A26 ["The residents and the monks spent about half a month collecting those bones. About ten people from the water supply office and five monks helped collect the bones"]; **D54/66** Nuon Yoem WRI, A17 ["They took about a month to collect the bones to be stored in the stupa"].

1772 **D54/65** Din Chun WRI, A15, 19-21 [Witness entered Wat Enta Nhien in 1979 to assist with the clean-up operation. "There were a lot of clothes and people's bones on the ground near the pagoda compound. [...] On the slope from the top of the mountain in the pagoda compound, there were lots of clothes and decomposed bodies in between the rocks of the mountain. [...] There were many bones on the ground, but I did not know the exact number. There were also many shallowly buried dead bodies in the compound [...] Q: how many victims were dead and unburied in the open field when you arrived there? A19: I saw a lot of skulls and bones. According to my estimation, there were about 400 to 500 skulls on the ground in the pagoda compound [...] A20: Later, when residents cleared the forest and tilled the land to plant crops, they collected about 400 to 500 [...] A21: we dug up only the shallow pits and placed the bones in the pagoda"]; **D54/66** Nuon Yoem WRI, A8, 12 ["There were a lot of human bones scattered on the ground in the southeast side of the pagoda [...] A12: I saw a lot of skeletal remains on the ground near a bamboo grove. Some bodies had clothes still attached; some were unclothed, and some had only trousers"]; **D114/111** Sok Lang WRI, A6, 12-23, 25 [Former staff member for the Office of the United Front for the National Salvation stated that monks from Wat Enta Nhien reported to him that they had found the bones of seven soldiers in Khmer Rouge uniform in pits inside the pagoda, which they had cremated and placed in a stupa at the pagoda].

1773 **D54/64** Din Chun WRI, A2-5 [The witness described finding two individual graves in 1979 located near her house behind Wat Enta Nhien. Regarding the first: "When I came to live here in 1979, I built a hut on the opposite side of the road behind the pagoda. When I went to dig up wild cassava behind my house, I smelled a rotten odor there, and then I called my child to help me dig up the place that had the odor; then we saw a corpse wrapped in plastic fabric [...] Inside, I saw a decomposing woman's corpse; only bones and long hair remained [...] A3: There was a metal box like a radio, and a shovel was on top of the plastic fabric. [...] A4: I reburied all the material and the corpse back into the grave. The corpse is still in the grave now." With respect to the second: "I cannot tell you all about the second pit; my son is the one who knows that clearly. At the time we were digging a pit for a toilet, and we saw the grave. Because of the terrible stench from the pit, I left that place while my son was still digging [that pit]"; **D54/66** Nuon Yoem WRI, A1, 4 [Son of Din Chun describing the same two graves in 1979: "While my parents were digging the wild potatoes, they saw a plaid-patterned plastic cloth wrapped around a body that was giving off a bad odor. My parents called me to see the uncovered corpse. When I reached the corpse, I saw two steel re-bars, each about a metre long, on the plastic cloth together with square aluminium box about 30 centimetres on each side that looked like a radio, a military canteen, an aluminium military nested canteen cup, and a locked chain around the ankles. Buried in the pit were around 30 red folding-steel-chairs and a folded shovel. We did not take any of the objects for our

use because they were so dirty and had a foul smell. [...] we reburied those objects back into the pit. [...] A4: The second pit was found by my father-checker patterned plastic cloth. After he opened the cloth around the body, he saw a skull with African-like short curly hair and the flesh was black and totally decayed. Thus, we could not distinguish whether the corpse was a woman or a man. Because the odor was so strong, we did not open the plastic cloth wrapped around the entire body. Then we re-buried the corpse and built a toilet above it”].

1774 **D54/64** Din Chun WRI, A2, 5 [The witness described finding two individual graves in 1979 located near her house behind Wat Enta Nhien. Regarding the first: A2: “When I went to dig up wild cassava behind my house, I smelled a rotten odor there, [...] we saw a corpse wrapped in plastic fabric [...] Inside, I saw a decomposing woman’s corpse”. With respect to the second: A5: “Because of the terrible stench from the pit, I left that place while my son was still digging [that pit]”; **D54/65** Din Chun WRI, A15, 18, 25 [“Although the dead bodies were almost totally decomposed, they still smelled very bad [...] A18: it was messy and smelled. No one could have lived there [...] Q: What made you believe all those grave pits, clothing, bones and skulls belonged to the dead from the Khmer Rouge era and not from an earlier regime? A25: Because they still smelled. Normally, dead bodies would not be left in an open field or buried in such shallow pits”]; **D54/66** Nuon Yoem WRI, A1, 4, 8 [Son of Din Chun describing corpses in the first and second individual grave: “While my parents were digging the wild potatoes, they saw a plaid-patterned plastic cloth wrapped around a body that was giving off a bad odor. [...] We did not take any of the objects for our use because they were so dirty and had a foul smell. [...] A4: The second pit was found by my father-checker patterned plastic cloth. [...] Because the odor was so strong, we did not open the plastic cloth wrapped around the entire body [...] A8: Describing the Wat Enta Nhien compound when he entered in 1979: “When I stepped into the pagoda compound from the southeast side, I smelled a very pungent odour. There were big finger-sized maggots crawling all over the ground [...] each of the water jars and gasoline drums contained one, two, or three head-down bodies. I saw maggots crawling all over the water jar rims”].

1775 **D54/65** Din Chun WRI, A31 [“there were both sexes. I think that the men’s bones were longer than the women’s, and back then, I saw women’s clothes, skirts and bras”].

1776 **D54/65** Din Chun WRI, A30 [“Q: Did you see any children’s bones among the bones you collected? A30: Yes, there were some small bones that must have been children’s”].

1777 **D54/65** Din Chun WRI, A28 [Describing the bodies discovered on the ground and in shallow pits around the Wat Enta Nhien compound: “Although the flesh had been almost decayed, some arm bones were tied behind their backs with hammock string”]; **D54/64** Din Chun WRI, A2 [Describing the female discovered in a grave behind her house: “Both of her hands were tied in front of her body with a chain fastened by a lock. Both her feet were also chained and locked. The padlocks were the size of my wrist”]; **D54/66** Nuon Yoem WRI, A1, 4-5 [Son of Din Chun describing the lady in the individual pit: “When I reached the corpse, I saw two steel re-bars, each about a metre long, [...] and a locked chain around the ankles”].

1778 **D54/65** Din Chun WRI, A28, 32-33 [“some of the skulls were still covered with pieces of cloth [...] A32: Some bones were attached to black clothes. Q: Can you tell us what you mean when you say black clothes? A33: I could not tell because, at that time, soldiers and the people wore the same black clothes”].

1779 **D54/66** Nuon Yoem WRI, A1 [“Shortly after we cleared this land and built a hut, one day we were looking to dig wild potatoes to eat. While my parents were digging the wild potatoes, they saw a plaid-patterned plastic cloth wrapped around a body that was giving off a bad odor. My parents called me to see the uncovered corpse. When I reached the corpse, I saw two steel re-bars, each about a metre long, on the plastic cloth together with square aluminium box about 30 centimetres on each side that looked like a radio, a military canteen, an aluminium military nested canteen cup, and a locked chain around the ankles. Buried in the pit were around 30 red folding-steel-chairs and a folded shovel. We did not take any of the objects for our use because they were so dirty and had a foul smell. Then my parents, an older brother, and a younger sister of mine dug up the ground to look for gold or jewellery in that pit; we found nothing, so we reburied those objects back into the pit”]; **D54/64** Din Chun WRI, A3 [“There was a metal box like a radio, and a shovel was on the top of the plastic fabric”].

1780 **D2/22** Wat Enta Nhien security center Site ID Report, EN 00634155, FR 00725853, KH 00662133 [“Some of the skulls show signs of blunt trauma”], EN 00634174-75 [“Photographs of skulls”].

1781 **D54/65** Din Chun WRI, A15, 37, 40 [“In the dining hall, there were countless iron shackles [...] A37: I saw detention cells and leg shackles in the dining hall. [...] A40: I saw hoes, spades, cart axles and shackles left in the dining hall”].

1782 **D54/66** Nuon Yoem WRI, A15, 18 [“I entered to help my mother and monks to collect the bones and skulls

in the pagoda to be stored in a stupa [...] A18: The stupa consisted of four storeys of about 12 square metres, and it was 15 metres high”; **D114/111** Sok Lang WRI, A6, 18 [“In approximately 1981 or 1982, the monks and the Wat Enta Nhean Pagoda committee told me that when they cleaned the pagoda compound, they found human bones from a total of seven bodies. They cremated those bones and packed them in white cloth and stored them in a collective stupa. [...] A18: I went to Enta Nhean Pagoda and asked the monks about the bodies. The monks told me that they had already cremated them and showed me the seven packs of white cloth, which contained the remains”]; **D1.3.13.12** Sok Lang OCP Statement, EN 00217568 [“He stated that he knew of the exhumation of the remains of persons buried near the Wat and that the monks had collected them and they were kept in a collective Stupa”]; **D1.3.13.1** Pauch Koy (Boch Koy) OCP Statement, EN 00217558 [“Some of the bones were placed in a Stupa at 48P US 3628974626 +/-18m. [Examination of the skulls remaining in the stupa showed signs of trauma to the right rear region on one of the skulls and the top of the cranium as well as damage to the right rear region in a second. The skulls were not touched and the observations were made from what could be seen without disturbing the bones. A number of urns were also stored in the Stupa”]. *See also* **D54/65** Din Chun WRI, A21, 25 [“we dug up only the shallow pits and placed the bones in the pagoda [...] A25: Most Khmer were cremated”]. *See further* **D54/25** Pak Sok WRI, A23 [“Q: Have you ever heard of Wat Kraom Pagoda or Wat Enta Nhean Pagoda in Kampong Som? A23: Yes, I knew the place very well as I lived near there at the time. [...] The detainees were kept in a stupa within the pagoda compound”].

1783 **D54/66** Nuon Yoem WRI, A13-14, 18 [“Based on my estimation, there were about hundreds skeletal remains, at most 1,000. [...] A14: I saw skeletal remains covering the ground, in the water jars and gasoline drums, and near the bamboo grove. [...] Q: When you told us earlier that there were 1,000 bodies, did you count that amount through your first sighting and after the bone collection? A18: Yes, I estimated this amount after the complete storage of bones and skulls in the stupa. The stupa consisted of four storeys of about 12 square metres, and it was 15 metres high”].

1784 **D54/65** Din Chun WRI, A19 [“I saw a lot of skulls and bones. According to my estimation, there were about 400 to 500 skulls on the ground in the pagoda compound”].

1785 **D54/65** Din Chun WRI, A19-20, 27 [“I saw a lot of skulls and bones. According my estimation, there were about 400 to 500 skulls on the ground in the pagoda compound. [...] A20: Later, when the residents cleared the forest and tilled the land to plant crops, they collected about 400 to 500 skulls and bones. [...] Q: When we talked to a witness named Poch Koy, he told us that about 200 dead bodies had been dug up from the pits in early 1980. Can you tell us why the number of dead bodies that Ta Koy mentioned was not the same as the number of dead bodies you told us? A27: The number of the bones and skulls that were collected from the pits ranges from 200 to 500. I think that Ta Koy might have forgotten to tell you about the bones and skulls that were collected from the grounds while we and the monks were cleaning up the compound. Ta Koy did not join the clean up every day because he was busy with his work at the water supply office. I, the other women, and the monks cleaned that place every day to use the land for crop cultivation. An old lady named Yeay Peou died last year. If she were still alive, she would have been a good source of information about that. She lived at the pagoda and served meals to the monks. She slept near the bones that were collected every day. She died at the age of about 100 years old”]. *See also* **D1.3.13.1** Pauch Koy (Boch Koy) OCP Statement, EN 00217558 [corrected by **D2/4** Pauch Koy WRI, Q/A 2] [“He stated that between 1980 and 1982 around 200 bodies were exhumed from an area known as the ‘Lemon Plantation’”].

1786 **D54/65** Din Chun WRI, A21, 35 [“Q: Were all the Khmer Rouge era pits excavated? A21: I do not know because, back then we dug up only the shallow pits and placed the bones in the pagoda [...] A35: We did not dig up all of the pits. We dug up only the pits that had been scraped up by wild pigs because a very bad smell was coming from them”].

1787 **D54/66** Nuon Yoem WRI, A31 [“About four or five months after the arrival of UNTAC, one night at midnight, three military jeeps carrying around 20 armed soldiers came to excavate that pit. They used the jeep headlights to light up the pit. The monastery head monk and the other monks and I were awoken by the sound of barking dogs, and we realized that they were excavating that pit. At that time we did not approach them; however, we hid ourselves behind a rock and watched them digging at the pit. We saw them lifting and putting something like gold, necklaces, and other jewelry into a sack. I saw those objects flash in the jeep headlights. The next morning the monastery head and I went to look at that pit, and we saw five empty jars in the pit. We did not touch those jars. Around a week later, those soldiers came again to take those jars with them. I did not know where those soldiers were from. I saw that they wore camouflage uniforms. They were Khmer soldiers because they spoke the Khmer language. We heard them say, ‘Collect them quickly so we

can leave”]. *See also* **D114/30** Wat Enta Nhien Security center: Witness Nuon Yoem Site ID Report, EN 01049183 [“Location of the hidden jars with gold and jewelry taken away”].

1788 **D2/22** Wat Enta Nhien Security Center Site ID Report, EN 00634155, FR 00725852, KH 00662131 [“Another occasion was in 2003 when during the construction phase of one of the long building (monk school/seminar) more skeletal remains were found”].

1789 **D1** Introductory Submission, paras 52-54, 59-61; **D120** Supplementary Submission, paras 10-11.

1790 *See, e.g.,* **D114/6** Yin Teng WRI, A66 [“Tuek Sab was a prison”]; **D114/18** Mak Choeun WRI, A42 [“As far as I understood, [Toek Sap] was a detention office”]; **D114/66** Chet Bunna WRI, A17 [“I knew clearly Teuk Sap was a prison and the killing place”]; **D114/25** Ou Dav WRI, A32 [“I heard that Tuek Sab was a big security office, and there were many other killing sites, the names of which I do not remember. I learned about this via former Khmer Rouge soldiers”]; **D54/98** Heang Ret WRI, A137 [“Q: In your interview with the Documentation Center of Cambodia, on page 56 in English and page 57, you said, “There was a Division Correctional Office.” Can you clarify the location of that correctional office? A137: It was located at Tuek Sab”]; **D114/19** Mak Chhoeun WRI, A8 [“Q: Have you ever known other detention sites under Division 164? A8: No, I knew only Tuek Sab Detention Office”]; **D114/208** Long Phansy WRI, A39 [describing Toek Sap as a “military jail”]; **D114/242** Prak Bunny WRI, A84, 97 [“the biggest detention office was the prison office in Tuek Sab. It was their big prison [...] A97: [the fresh water area] was under military control”]. *See also* **D114/146** Uy Nhoek WRI, A57 [“Chamkar Thuren (durian plantation) was at Tuek Sab. I heard that prisoners were detained there”].

1791 **D114/15** Sok Vanna WRI, A9 [“they sent us to be stationed in Tuek Sab, Prey Nob District”]; **D54/111** Sam Phin WRI, A16 [“To my knowledge, Toek Sap was under Regiment 63. Toek Sap was located near Prey Nob”]; **D114/54** Marine Division 164 (Div 3) Site ID Report, EN 01074087 [“Toek Sap is a small commune along Highway 4 in the district of Prey Nob, Sihanoukville Province”].

1792 **D54/98** Heang Ret WRI, A140 [“Tuek Sab was located between Kang Keng and Veal Renh”]; **D114/33** Hem Ang WRI, A81, 85 [“Tuek Sab was located near Kang Keng Airfield in Ream Commune, Kampong Som Province, but I do not know which village it was located in. [...] Tuek Sab referred to the canal where fresh water flowed from the mountain into the sea. A bridge was constructed across that canal at National Road 4 from Phnom Penh to Kampong Som”].

1793 **D114/54** Marine Division 164 (Div 3) Site ID Report, EN 01074087 [“From the bridge of Toek Sap, it is about 20/22 km away from WETN in Sihanoukville”]; **D114/141** Toek Sap Site ID Report, EN 01173095 [“Toek Sap is about 20 km from Kampong Som”].

1794 **D54/48** Em Sun WRI, A53 [“Did you know the fresh water area in Ream? I did. That area was called Tuek Sab where a Tuek Sab Bridge was built. It was located along the National Road 4 east of Ream”]; **D54/45** Lon Seng WRI, A18 [“I only knew a place called Ou Tuek Sap which was located east of Smach Daeng Village, along the National Road 4”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978579-80, [“When they arrested people, they took them to Teuk Sap near [Kang Keng] east of Ream [...] Starting from Kang Keng, we had to travel eastward on National Road 4 until we arrived at a bridge crossing a river. That was Teuk Sap”]; **D54/102** Ek Ny WRI, A24 [“At that time when I stayed in Ta Thoeung village, I was sent to work on the west back of the river [Teuk Sap]. The prisoners stayed on the east back of the river”]; **D114/141** Toek Sap Site ID Report, EN 01173095 [Overview image of the area of Ream/Kang Keng – Smach Deng – Toek Sap – Locations identified by witness Kuy Sambath]. *See also* **D54/36** Prak Sokha WRI, A17 [“My mobile unit also worked on the southern side of national road number 4. We worked in the vicinity of Kang Keng air field and near Teuk Sap”].

1795 *See, e.g.,* **D114/3** Lak Saphan WRI, A2 [“Q: During the Lon Nol regime, what was Tuek Sab used for? A2: It was a Lon Nol military barracks”]; **D114/18** Mak Chhoeun WRI, A35-36 [“The headquarters of Battalion 530 was at the Lon Nol military base [...] A36: the headquarters [of Battalion 530] was at Tuek Sab”]; **D54/121** Lin Sarin WRI, A6 [“I only heard that the Lon Nol troops were stationed at Tuek Sab. I learn this by myself”]; **D114/40** Moul Chhin WRI, A7 [“Q: When you visited the location, you said that a former Lon Nol military base was located to the east [the Phnom Penh side], close to Tuek Sab Bridge. The former Lon Nol military base was abandoned in 1973 [...] Is that correct? A7: Yes, it is”]; **D114/39** Moul Chhin WRI, EN 01079211 [“At the Tuek Sab site, the witness showed the following places to the investigating team: [...] Tuek Sab Bridge and a guard tower left over from the Lon Nol regime, Old base(s) of Lon Nol soldiers”]; **D114/141** Toek Sap Site ID Report, EN 01173112 [“During Lon Nol times, there was a Lon Nol army base on the north/eastern side of the cross formed between the river and highway 4. There are still small pill

- boxes/bunkers visible next to the highway on both sides of the bridge”]. *See also* **D114/114** Svay Saman WRI, A23 [“There was a former Lon Nol fort near the broken bridge at Tuek Sab”].
- 1796 *See, e.g.,* **D114/89** Seng Sin WRI, A92-93 [“At that time, if there were people who were considered criminals, they would be sent to a prison [...] A93: It was at Toek Sap Bridge”]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971212 [“They [Khmer Rouge] sent them to Tuek Sap, to a place next to the Tuek Sap Bridge”]. *See also* **D114/32** Meas Saran WRI, A87 [describing her visit to the Toek Sap site, beginning when she “got out of the vehicle at Tuek Sab Bridge”].
- 1797 **D114/114** Svay Saman WRI, A42 [“The prison was located on the left-hand side if coming from the direction of Kampong Som, after the bridge, on the left-hand side, near the mountain. The prison was a bit past the bridge”]; **D114/242** Prak Bunny WRI, A88-90 [“The area around the long bridge was called Tuek Sab. Investigator’s Note: The witness pointed to Tuek Sab location; it is located in the east of Wat Smach Daeng Pagoda. It is located along the National Route No. 4. Q: To which side of National Route No. 4 is Tuek Sab located? A89: It is to the North. Q: How do you know that? A90: Because I am an inhabitant there”]; **D114/69** Kuy Sambath WRI, A26 [“[The detention centre] stood to the east of the canal and to the north of the National Road”]; **D114/3** Lak Saphan WRI, A7 [“At the time my work place was west of Preaek Tuek Sab Canal, and I saw Khmer Rouge soldiers east of Preaek Tuek Sab Canal”]; **D54/89.1** Administrative Map of Prey Nob District marked by Kuy Nen, EN-KH 00987086 [circling Toek Sap in the north-east quadrant of the Toek Sap River / National Road 4 axis]; **D114/156.1** Sketch of Places during DK period by Soeng Noch, EN 01197078, KH 01374692 [on which the witness marked the Toek Sap compound north of National Road 4].
- 1798 **D114/114** Svay Saman WRI, A11, 15 [“After the liberation in 1975, I worked at Kang Keng Airport. They had me guard ammunition warehouses [...] Q: When you first arrived at Kang Keng, what unit did you join? A15: Regiment 63 of Division 164”]; **D114/155** Svay Saman WRI, A10, 15 [“At the end of 1975, I relocated to the Tuek Sab area near the bridge. All the warehouses were relocated to Tuek Sab too [...] A15: Before the warehouses were moved to the new location, the commander’s house was located at Kang Keng”]; **D114/116** Svay Saman WRI, A30 [“Q: Which unit was Mom Yan in and what was his position? A30: He had been the commander of Regiment 63 of Division 164 since the beginning. It was when the regiment was stationed in Kang Keng”]; **D114/77** Svay Sameth WRI, A30 [“Q: Did you know Mom Yan? A30: Yes, I did. He was the Commander of Regiment 63. His base was in Kang Keng Airport which was near a crossroad at Smach Daeng between an entry to the airport and the national road. [...] Chorn came to replace him”]; **D54/8** Dol Song WRI, A22-23 [“My Regiment 22 was stationed at Kang Keng Airport. Our workplaces were around that airport. Later, in around early 1976, I left Regiment 22 and moved to Regiment 140 in Ream. [...] A23: Kang Keng Airport was the base of Regiment 22”]; **D2/9** Say Born WRI, A3 [“Q: where was the command base of the Regiment 22? A3: The command base of the Regiment was in Thmar Thom village adjacent to the Airfield”]; **D114/139** Nguon Lay alias Y WRI, A20 [“I was in Division 164, Regiment 63. I stayed at Kang Keng Airport. I stayed there for three months”]; **D114/18** Mak Chhoeun WRI, A26-28 [“The headquarters of Regiment 63 was at Kang Keng Airport [...] A27: The headquarters of Regiment 63 was right there at Kang Keng Airport. But there were subordinate units, such as the logistics unit of Regiment 63, located at Tuek Sab [...] A28: The house of the commander of Regiment 63 was inside Kang Keng Airport. At that time, Kang Keng airport was not in operation, so the commander stayed inside a building in the airport compound”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A20 [“Regiment 16, which was under Yan, was stationed in Kang Keng”]. *See also* **D59/2/3.17a** Yem Sam On DC-Cam Statement, EN 01063504 [“Q: Did the entire division have to go to Kang Keng? A: Yes. Only when we arrived there did it become apparent that all of Division 3 was present”].
- 1799 **D114/115** Svay Saman WRI, A8, 14, 30 [“Tuek Sab was under Regiment 63, Division 164 [...] A14: The commander of Regiment 63 was Chorn. His house was near Tuek Sab [...] Q: Where was the regiment headquarters located after moving to Tuek Sab? A30: The headquarters was situated at the concrete building at the Tuek Sab dock”]; **D54/41** Or Saran WRI, A21 [“Q: Where was Regiment 63 headquarters located? A21: It was located in Tuek Sap”]; **D114/116.1** Sketch of Places at Toek Sap by Svay Saman (reproduced with English translation in **D114/141** Toek Sap Site ID Report, EN 01173120) [on which he marked the “Regiment HQ”]; **D114/156** Soeng Noch WRI, A137-138, 249 [“[At Tuek Sap] [t]here was a regiment building. Q: Which regiment was it? A138: Regiment 63 [...] Q: Do you know where Regiment 63’s headquarters was? A249: At Tuek Sap”]; **D2/6** Nhoung Chrong WRI, A38, 43 [“The Regiment 22 stationed in Teuk Sap. I was in Regiment 22 but I stayed in Smach Deng [...] A43: As for Regiment 22, it had its base in Teuk Sap”]; **D114/16** Sok Vanna WRI, A5 [“Yan was the commander of Regiment 33 with its

- headquarters at Tuek Sab”]; **D4.1.746** Som Sok US POW/MIA Statement, EN 00387463 [“the 63rd Regiment was based at Tuk Sap”]; **D114/18** Mak Chhoeun WRI, A34 [“The headquarters of Battalion 530 of Vet was at Tuek Sab near the logistics site of Regiment 63]. *See also* **D54/89** Kuy Nen WRI, A17-18 [“Q: What was the Tuek Sab area called during the Khmer Rouge period? A: It was called Regiment 164 Headquarters Q: At that time, as far as you could see, what existed at the Tuek Sab area? A: I saw house(s), hall(s), building(s), the entrance with the plaque reading ‘Regiment 164 Headquarters’, flag(s), car(s), motorbike(s), and military personnel”].
- 1800 **D114/18** Mak Chhoeun WRI, A34-36 [“The headquarters of Battalion 530 of Vet was at Tuek Sab near the logistics site of Regiment 63 [...] A35: The headquarters of Battalion 530 was at the Lon Nol military base [...] A36: As far as I knew, the soldiers in Battalion 530 were sent out to work at other places [...] Only the headquarters was at Tuek Sap. However, since I left to go to the islands, I did not know how long the headquarters of Battalion 530 remained at that place. I did not know what happened to Battalion 530 afterwards. I heard that in 1977 Battalion 530 was probably dissolved. At that time, Vet had disappeared and the soldiers in his unit were incorporated into the Navy”]; **D114/19** Mak Chhoeun WRI, A29 [Marking a map (**D114/19.2**) with “The headquarters of Battalion 530 of Regiment 63 at Tuek Sab”].
- 1801 **D114/3** Lak Saphan WRI, A4 [“only Khmer Rouge soldiers lived there”], A9 [referring to “the former Lon Nol military base used as living quarters for the Khmer Rouge soldiers”]; **D54/117** Meas Saran WRI, A64-65 [“[At Tuek Sab prison] I stayed outside in a shelter with a roof made of leaves [...] A65: A few soldiers carrying guns and walked back and forth, but I did not know if they were watching over me or not. The place was like a kitchen. Troops were living there”]; **D114/115** Svay Saman WRI, A26, 30 [“There were four to five houses for guard sleeping quarters, and there was a kitchen [...] A30: The ammunition warehouses were on the right from the entrance, located on the hill. Further along on the right-hand side was the kitchen”]. *See also* **D114/156** Soeng Noch WRI, A154 [“[At Toek Sap] I saw buildings and halls”].
- 1802 **D114/115** Svay Saman WRI, A29-30 [“There were three ammunition warehouses there, and we guarded them [...] A30: The ammunition warehouses were on the right from the entrance, located on the hill”]; **D114/116.1** Sketch of Places at Toek Sap during the DK period by Svay Saman (reproduced with English translation in **D114/141** Toek Sap Site ID Report, EN 01173120) [on which Svay Saman marked the ammunition warehouses]; **D114/141** Toek Sap Site ID Report, EN 01173113-14 [Referring to areas identified by witness Kuy Sambath when he visited the Toek Sap site in 1979 “and noticed human remains, shackles and a destroyed ammunition depot/warehouse etc.” The investigator noted that “[t]he sites identified by Kuy Sambath (ammunition depot [...]) have been previously identified by other witnesses” and “[m]ost notably the account of Kuy Sambath in reference to the dirt road and to the location of the ammunition depot match perfectly with the description of witness Svay Saman and the drawn sketch of that witness”, EN 01173115 [showing, at waypoint 293, the ammunition depot identified by the witness; enlarged photos of the area shown at EN 01173116]; **D114/176** Chan Savoeun WRI, A8 [We would like to summarise the findings from the location identification yesterday as follows [...] Fourth location was a building or an arsenal during the Khmer Rouge regime, but there is no building there now. Is what we have summarised correct? A8: Yes, it is”].
- 1803 **D54/89** Kuy Nen WRI, A20 [“[T]hey did not allow civilians to enter the premises at Tuek Sab. Only arrestees to be killed were taken there”]; **D114/3** Lak Saphan WRI, A4 [“I do not know clearly what Tuek Sab was used for because at the time it was a restricted place, and they banned people from approaching it. Only the Khmer Rouge were allowed to be there”]; **D114/89** Seng Sin WRI, A122 [“The checkpoint was the access for civilians to enter that area. Later on, it was dismantled because civilians were no longer allowed to enter the barracks”]; **D114/156** Soeng Noch WRI, A141, 153-154 [“In those days, they prohibited me from going to that place [...] A153: I went around that place [Tuek Sab]. I travelled along the road in front of it. When I transported rice sheaves, they did not allow me to go near that place [...] A154: I saw buildings and halls”]. *See also* **D114/202** Or Saran WRI, A17 [“Q: Where was Regiment 63 situated when your unit was stationed at Kang Keng Airport? A17: I heard that it was situated at Toek Sab. I am not sure about that because no one was allowed to approach the headquarters. If anyone entered there, he or she would be arrested”]; **D114/69** Kuy Sambath WRI, A7 [“I did not know who controlled or was in charge of the detention office [at Toek Sap]. I only knew that it was a detention office. The Khmer Rouge kept that matter very secret. Ordinary people did not know who what”].
- 1804 **D54/102** Ek Ny WRI, A24, 26 [“Those in my group were banned from going near those prisoners while they were working [...] A26: I was not allowed to go near [Teuk Sap Prison] during that time”].

- 1805 **D114/115** Svay Saman WRI, A18, 20, 39 ["That prison consisted of a wooden building with a zinc roof and an iron wall. The wall was made of iron sheets made in America [...] A20: The building was approximately seven or eight metres wide and 100 metres long [...] Q: Was the prison compound fenced? A39: No, it was not"]; **D54/27** Pak Sok WRI, A11 ["I saw two long buildings, each around five metres wide and about 20 metres long. That site was not fenced, but guards were stationed"]; **D114/242** Prak Bunny WRI, A91, 93 ["At that time, the buildings [in Tuek Sab] were built from wood. Long and wooden prisons were built. Everything was built from wood, not concrete. [...] A93: After the coup and the fall of the Khmer Rouge, I went there"].
- 1806 **D114/115** Svay Saman WRI, A21 ["From Kang Keng, you have to cross the bridge. After crossing the bridge then go straight for about 20 minutes, then turn toward the mountain. The prison was at the foot of the mountain"]; **D114/114** Svay Saman WRI, A42 ["The prison was located on the left-hand side if coming from the direction of Kampong Som, after the bridge, on the left-hand side, near the mountain. The prison was a bit past the bridge". He further explained that it was a 20 minute walk from the bridge to the prison]; **D114/116.1** Sketch of Places at Toek Sap during the DK period by Svay Saman (reproduced with English translation in **D114/141** Toek Sap Site ID Report, EN 01173120 [on which the witness marked the prison north of National Road 4 and in the east of the Toek Sap site]; **D114/69** Kuy Sambath WRI, A26 ["[The detention centre] stood to the east of the canal and to the north of the National Road"]; **D114/89** Sen Sin WRI, A93, 125 ["[The prison] was at Toek Sap Bridge [...] A125: The prison was near the bridge and that mountain"]. *See also* **D114/66** Chet Bunna WRI, A26 ["The Prison building could not be seen because it [was] located behind the forest"].
- 1807 **D114/39** Moul Chhin WRI, EN 010779211 ["At the Tuek Sab site, the witness showed the following places to the investigating team: - The saw mill where the witness was subjected to hard labour; - A house which is about 5 metres wide and 7 metres long with a zinc roof, located near the saw mill, where the witness and other prisoners were detained"]; **D114/40** Moul Chhin WRI, A2, 9 ["they had me return to Tuek Sab, where I lived in the same house I had stayed in previously. That house was west of the saw mill [...] A9: That house was abandoned"]; **D114/54** Marine Division 164 (Div 3) Site ID Report, EN 01074086-94 [maps and photographs showing the location near Toek Sap bridge, west of the river and north of National Road 4, of the sawmill and detention house where Moul Chhin was detained]; **D114/202** Or Saran WRI, A19 ["Q: Where was the saw-mill or log sawing site? A19: It was at Toek Sab, near a path next to Kbal Spean Toek Sab"]; **D114/139** Nguon Lay WRI, A40, 42, 88 ["After that, they transferred me to work in a sawmill. I saw[ed] wood at the fresh water area [...] A42: It was located close to a bridge that stretched over a fresh water river [...] Q: When you were working at the sawmill, where did you sleep and have meals? A88: At that sawmill. There was a hall with a kitchen there. There were also cooks"]; **D114/116** Svay Saman WRI, A19 [confirming the existence of a sawmill at Toek Sap].
- 1808 *See* **VIII.C.4. Toek Sap Security Centre – Crimes – Imprisonment and Unlawful Confinement; VIII.C.4 Toek Sap Security Centre – Crimes – Inhumane Treatment and Wilfully Causing Great Suffering or Serious Injury - Forced Labour.**
- 1809 *See* **VIII.C.4 Toek Sap Security Centre – Crimes – Inhumane Treatment and Wilfully Causing Great Suffering or Serious Injury - Forced Labour.**
- 1810 **D114/156** Soeng Noch WRI, A141 ["At that place [Toek Sap], there were durian and rambutan plants belonging to Mr Chhan"]; **D114/177** Meng Soek WRI, A29, 47 ["It was located near the river. Mr. Chhan's home was there and that's where the place was. In the past, he built his villa there. When Pol Pot came to power he ran away. [...] A47: There were hundreds of trees at Mr Chhan's orchard. The man who grew them was a rich man"]; **D114/3** Lak Saphan WRI, A6 ["Q: Had Tuek Sab been used as a burial site before the Khmer Rouge came to power? A6: No, Tuek Sab had been a site for farming and had durian plantations and other fruit orchards. These fields belonged to Mr Chhan, the ex-forest warden for this area during the Samdech Sihanouk regime"].
- 1811 **D54/89** Kuy Nen WRI, A5 ["durian and pepper plantations [...] covered an area of around thirty hectares"]; **D54/121** Lin Sarin WRI, A8 ["During that time the other children and I were assigned to cut *tuntrean khaet* on the other side of Praek Tuek Sab opposite the durian and rambutan fields"]; **D114/115** Svay Saman WRI, A29 ["There were three ammunition warehouses there, and we guarded them. There were rambuttan, durian, and jackfruit plantations there. There was a concrete dam adjacent to the water reservoir there"]; **D114/3** Lak Saphan WRI, A6, 10 ["No, Tuek Sab had been a site for farming and had durian plantations and other fruit orchards [...] A10: The durian plantation at Tuek Sab, according to my estimation, was about 10 hectares"]; **D114/16** Sok Vanna WRI, A49 ["I remember that there were coconut trees, durian trees, rambutan trees, and jackfruit trees"]; **D114/202** Or Saran WRI, A28 [confirming durian trees near Toek Sap]. *See also* **D114/34**

Nap Somaly WRI, A181 [There was a Chamkar Thuren at Veal Renh. There a lot of durian plantations at the foot of the mountain. Each plantation was about one or two hectares in size. There were also pepper plantations"]. *See further VIII.C.4. Toek Sap Security Centre – Crimes - Murder, Wilful Killing, Extermination, and Enforced Disappearances.*

1812 **D114/115** Svay Saman WRI, A29 ["There were three ammunition warehouses there, and we guarded them. There were rambuttan, durian, and jackfruit plantations there. There was a concrete dam adjacent to the water reservoir there"].

1813 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125403-04 [maps pinpointing the area in the eastern upper part of the Toek Sap site (WP 205-207) identified to investigators by Kuy Nen as grave sites he found in 1979 in the former plantation areas]; **D114/177** Meng Soek WRI, A45-46 ["this [durian plantation] was located in the upper area [...] Q: Did you see two places in Teuk Sab [...] the other at the durian orchard located in the upper area? A46: Yes, I did"]; **D54/121** Lin Sarin WRI, A4 [former member of a children's unit witnessed killings at Toek Sap which he described as "a durian and rambutan orchard"]; **D114/56** Site ID Report, EN 01075849-53 [description, maps and photographs showing the approximate location, at the lower western end of the upper area of the Toek Sap site, where Lin Sarin witnessed executions in the durian and rambutan plantations].

1814 **D114/176** Chan Savoeun WRI, A9, 16 ["Q: You explained to us that the locations to which you took our working group (except for one location) were flattened by excavators. That's why the original appearance of the places is lost. Is this correct? A9: Yes, it is [...] Q: You took the working group to a location where there were many trees, to the east of the first location. You clarified that there were buildings remaining from the Khmer Rouge regime. [...] they destroyed the buildings there. [...] Is our summary correct? A16: Yes, it is"]; **D114/54** Marine Division 164 (Div 3) Site ID Report, EN 01074087, FR 01380191 ["The site of the wood mill today is only an empty space in close proximity to the west bank of the Toek Sap river. Nothing of the original installations can be seen anymore"].

1815 **D114/96** Cheng Laung WRI, A30 ["Presently, the grave site has been cleared with a bulldozer and earth has been dug to build roads and used to fill the low-lying land"]; **D114/177** Meng Soek WRI, A46 ["Q: Did you see two places in Teuk Sab, one located in the lower area where you saw wild pigs excavating bones, and the other at the durian orchard located in the upper area? A46: Yes, I did. But those places have been levelled to plant orchards"]; **D114/99** Site ID Report, EN 01125402 ["The whole area of WP 205-207 was leveled out. At the area of the suspected grave field at WP 205 it was noted that the whole area was filled with at least 50cm to 1 meter (estimated) of soil on top of the old level while area of WP 207 was excavated and top layer of soil was removed. Mr. Sem Putsalin (a former bulldozer driver) living in Toek Sap confirmed that mass soil movement was recently done at the area of the suspected mass grave site. His task was to bulldoze an area where he noticed multiple pits (without knowing their origin or contents)"]. *See D114/99* Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125403-04, 01125406 [maps and photographs showing WP 205-207, the areas of the grave sites in the former plantations identified by witness Kuy Nen. At EN 01125406, the photograph demonstrates that the area between WP 205 and 207 "has been [the] subject of landfill"].

1816 **D114/182** Huong Khan WRI, A4-5, 12-13, 18 [stationed with Khmer Rouge Regiment 85 near Toek Sap for about 3-4 months before April 1975 to protect the "liberated area"]; **D114/104** Iem Phong WRI, A34 ["During the fight for Phnom Penh, my forces and Division 1 were engaged in combat at Tuek Sab, Kampong Som"]; **D114/89** Seng Sin WRI, A21 ["Q: Where were you on 17 April 1975? A21: I was at Toek Sap battlefield"]; **D114/226** Kim Hav WRI, A68 ["The front battlefield was along a bridge such as Prey Nob, Ou Okhna Heng Canal at Tuek Sap"]; **D114/112** Oem Sokhan WRI, A13 ["Before 17 April 1975, when I was about 15, I worked as a messenger for Than, the Commander of Company 420, stationed at Teuk Sap and Au Kambot in Sector 35. Teuk Sab and Au Kambot were about two kilometres apart"]; **D114/194** Sorn Sot WRI, A10 ["The Khmer Rouge forces controlled this area. However, from Au Chamnar, Veal Renh to Kampong Som the Lon Nol soldiers controlled. I was sent to fight in Teuk Sab"]; **D114/68** Kuy Sambath WRI, A9 ["At that time, Au Kambot, about one kilometre east of this Teuk Sab Bridge was a first frontline between the Khmer Rouge soldiers and Lon Nol soldiers. That place was called the first frontline"]; **D114/282** Ek Ny WRI, A22 ["There were both soldiers and civilians in Kampong Som. According to my estimation, there were no fewer than 3,000 soldiers because I saw many of them and they were deployed from the oil refinery up to Ream; they were the defensive line to defend the city. The oil refinery was located between Stung Hav and Kampong Som. There were double defensive lines from the oil refinery to Kampong Som and up to Teuk Sab because they aimed to defend Kang Keng Airfield"].

- ¹⁸¹⁷ **D114/282** Ek Ny (Ni) WRI, A6 ["On 18 April, Division 3 entered Kampong Som"]. See also **D114/69** Kuy Sambath WRI, A1 ["On 18 April, the Khmer Rouge came to take control of Kampong Som Province"]; **D114/282** Ek Ny (Ni) WRI, A22 ["They began sending them on 18 (April 1975). At that time, the sector [37] soldiers entered Kampong Som without resistance from the Lon Nol forces because the Lon Nol forces had already laid down their weapons"]; **D114/68** Kuy Sambath WRI, A9 ["On 17 April 1975 when the Khmer Rouge soldiers captured Phnom Penh, the Khmer Rouge soldiers in Kampong Som also captured Krong Kampong Som. The Lon Nol soldiers were prepared to welcome the Khmer Rouge in Krong Kampong Som. At that time, Krong Kampong Som was surrounded by the Khmer Rouge. Then the Khmer Rouge soldiers arrived in Krong Kampong Som in many Jeeps"].
- ¹⁸¹⁸ **D54/92** Yem Sam On WRI, A34-36 ["Tuek Sap was located along National Road Number 4 near the sea. When they sent me from Phnom Penh to Kampong Som in 1975, I stopped a half day to rest and cook at Tuek Sap [...] A35: At Tuek Sab, I saw only houses roofed with zinc sheets [...] A36: I just stopped to rest and cook, and I saw evacuees walking along the road"]; **D114/16** Sok Vanna WRI, A43, 52 ["After the victory in Phnom Penh, Division 3 returned to Kampong Som. I remember that we left two days before the people were evacuated from Phnom Penh. [...] All the soldiers in Division 3 travelled on foot along National Road 4 from Phnom Penh to Veal Rinh. That took us four to five days. We travelled during the day and rested at night. [...] After resting at Veal Rinh for about one week, we began to repair the railway from Veal Rinh to Kampot. Around one month after we finished the repairs, we were sent to be stationed at Tuek Sab. [...] A52: The Regiment 33 Headquarters of Division 3 was located at Tuek Sab. After the victory in Phnom Penh, they went to be stationed there before me"]; **D54/116** Neak Yoeun WRI, A10, 12 ["I knew Teuk Sap. About 1 month after the Khmer Rouge had defeated the Lon Nol [...] regime, we were sent to stay in a former fort of Lon Nol's soldiers locating in Teuk Sap. We had stayed in that fort for about 2 months. Teuk Sap located on the north side of National Road 4, at the foot of a mountain and near a bridge and river. After staying in that place for 2 months, they sent my unit [away] [...] A12: During the time I stayed in Teuk Sap, I was in a unit in Division 3 under Ta Mut's command"]; **D54/89** Kuy Nen WRI, A13 ["[The operation of the Tuek Sab site] began soon after the Khmer Rouge controlled the country in April 1975. It was the location of a regiment. I do not remember the name of its commander, but I can recall that the regiment's designation was 164. The army, navy, and all islands were under Regiment 164"]. See also **D22/1441a** Chhoun Kun SIF, EN 00853131 ["My second brother was a monk before 1975. After 1975, he was disrobed, on 30 April 1975, to enable him to be killed at Tuek Sab"].
- ¹⁸¹⁹ See, e.g., **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592 & 14786 [Daing Yaing Thann (Vietnamese) - arrested at sea on 12 December 1975 and detained in Toek Sap until his transfer to S-21 on 6 May 1976], 663 & 14784 [Kim Ngok Troeung (Vietnamese) - arrested December 1975 on Bat (Prachiev) Island, then detained at Toek Sap until his transfer to S-21 on 6 May 1976], 13431 [Chim Yang Keu (Vietnamese) - arrested at sea on 30 November 1975, held for 3 days on Koh Kiev, then detained at Toek Sap until his transfer to S-21 on 6 May 1976. See **D114/145.2.11** S-21 Biography of Chim Yaing Koeu (VN122), EN 01191487 ["After he was arrested, Angkar sent him to Koah Kiev Island. After being held there for three days, he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants. On 6 May 1976, he was transferred to this place. He was arrested on 30 November 1975"], 13432 [Le Yang May (Vietnamese) - arrested at sea on 30 November 1975, for 3 days on Koh Kiev, then detained at Toek Sap until his transfer to S-21 on 6 May 1976. See **D114/145.2.11** S-21 Biography of Chim Yaing Yop alias Le Yaing May (VN123), EN 01191490 ["After he was arrested, Angkar sent him to Koah Kiev Island. After being held there for three days, he was transferred to the fresh water area. He was arrested on 30 November 1975. He was transferred to Phnom Penh on 6 May 1976"], 13433 [Le Yang Phoeuk alias Chim Yang Koeng (Vietnamese) - arrested at sea on 30 November 1975, sent to Koh Kiev for 18 days, then detained at Toek Sap until his transfer to S-21 on 6 May 1976. See **D114/145.2.11** S-21 Biography of Chim Yaing Koeng alias Le Yaing Phoeuk (VN 124), EN 01191492 ["After he was arrested, Angkar sent him to Koah Kiev Island. After being held there for eighteen days, he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants He was transferred to this place on 6 May 1976. He was arrested on 30 November 1975"], 13434 [Ngvieng Din Y (Vietnamese) - arrested at sea in November 1975, sent to Koh Kiev for 18 days, then detained at Toek Sap before his transfer to S-21 on 6 May 1976. See **D114/145.2.11** S-21 Biography of Kvieng Din Y (VN125), EN 01191494 ["After he was arrested, Angkar sent him to Koah Kiev Island. After being held there for eighteen days, he was transferred to a fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantation. He was transferred to this place on 6 May 1976. He was arrested in November

1975”]], **13436** [Ngvieng Thithoeung (Vietnamese) – arrested at sea on 10 December 1975, then sent to Toek Sap to work in the durian plantations. *See* **D114/145.2.12** S-21 Biography of Kvieng Thy Thoeung (VN126), EN 01195307 [“Note: These people were [...] sent to S-21 on 6 May 1976], EN 01195308 [“She was arrested on 10 December 1975 in Cambodian sea territory, at a place known as Preaek Lek Pir. After the arrest, *Angkar* sent her to look after a durian plantation at a fresh water area”]], **13437** [Ngvieng Hour Lang (Vietnamese) – arrested at sea on 10 December and then sent to Toek Sap to work in the durian plantations. *See* **D114/145.2.12** S-21 Biography of Kvieng Hiv Lang (VN127), EN 01195312 [“He was arrested on 10 December 1975 in Cambodian sea territory, in the vicinity of Kaoh Thas Island [...] After the arrest, *Angkar* sent them to a fresh water area to clear grass in a durian plantation”]], **14782 & 597** [Troeng Yaing Khve (Vietnamese) – arrested at sea on 30 November 1975 and detained at Toek Sap until he was sent to S-21 on 6 May 1976. *See* **D114/145.2.11** S-21 Biography of Troeng Yaing Kve (VN121), EN 01191485 [“Note: Date of the arrest: 30 November 1975. After the arrest, *Angkar* sent him to the fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantations On 6 May 1976, *Angkar* transferred him to S-21”]], **14783 & 13642** [Choeng Thann Hoeun (Vietnamese) – arrested at sea on 12 December 1975, sent to an island for 6 days and was then detained in Toek Sap until his transfer to S-21 on 6 May 1975. *See* **D114/145.2.12** S-21 Biography of Choeng Thann Hoeung (VN128), EN 01195316 [“He was arrested on 12 December [1975]. After the arrest, he was sent to an island [...] for six days. Then, he was sent to a fresh water area to look after the durian and rambutan plantations. He was sent here on 6 May 1976”]], **14785** [Pham Yaing Thann (Vietnamese) – arrested at sea on 12 November 1975 and detained in Toek Sap until his transfer to S-21 on 7 May 1976. *See* **D114/145.2.14** S-21 Biography of Pham Yaing Phann, EN 01368091-92 [“Note: This person was arrested on 12 November 1975 and *Angkar* sent him to Tuek Sab to do some work such as taking care of durians tree plantation. On 7 May 1976, he was sent to S-21”]].

1820 **D54/27** Pak Sok WRI, A10 [“Q: During what years was the Tuek Sap Office operational? A10: I am not sure; however, when I approached there in 1976, I saw that office was already operating. It operated until 1979, when the Vietnamese arrived”]; **D54/89** Kuy Nen WRI, A34 [“[The Tuek Sab area] remained operational until the Vietnamese entered in 1979”]; **D114/115** Svay Saman WRI, A11 [“[Tuek Sab Prison] was established during the three-year era. I do not know exactly when it was established [...] But that prison has been established for quite a long time”]; **D54/20** Sam Saom WRI, A9 [witness told by a guard at Toek Sap that the prison was closed in 1979]. *See also* **D114/135** Nub Phorn WRI, A35-36 [“I heard about a detention office at Tuek Sab, but I never personally saw it at all. [...] I learnt about it during the Khmer Rouge era”].

1821 **D54/98** Heang Ret WRI, A141 [“I do not know when the office started. However, I know that in late 1978, when there was the amnesty/salvation document, those detained at Tuek Sab were released”]; **D114/18** Mak Choeun WRI, A38 [“I saw the detention office myself, and later I heard that the people who were detained in that office were all released”].

1822 *Moul Chhin*: **D114/31** Moul Chhin WRI, A115, 164, 176 [“I had been in prison for twenty-nine days when the Vietnamese arrived. I was freed the day the Vietnamese arrived [...] A164: The last three days, I was detained in Tuek Sab, and that coincided with the Vietnamese arrival in 1979 [...] A176: “the Vietnamese troops arrived at 12p.m. I was released and assigned to saw wood at Tuek Sab that morning”]; **D114/40** Moul Chhin WRI, A1-2 [“The next morning I saw the Vietnamese soldiers arriving, and I was released from the prison at that time [...] A2: Their intention was to assign me to carry wood to the saw mill, but I did not, because the Vietnamese soldiers arrived”]; *Nguon Lay*: **D114/139** Nguon Lay WRI, A40-41 [“After that, they transferred me to work in a sawmill. I saw[ed] wood at the fresh water area. [...] A41: I stayed there until the arrival of the Vietnamese army”]; *Long Phansy*: **D114/208** Long Phansy WRI, A43, 46 [“After the Vietnamese came in, most of the Toek Sap guards, whom I asked to remove the cuffs, fled together to the Thai border. I asked them to remove the cuffs because the situation was chaotic. I met them at the Thai border when I fled there [...] A46: If the Vietnamese had not come in, I think [...] the only way for my life would have been death”].

1823 **D114/65** Chet Bunna WRI, A9 [“The territory under Meas Muth’s control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth’s control”]; **D54/51** Meas Voeun (Svay Voeun) WRI, A17 [“The navy controlled the mainland from Veal Renh to Kampong Som”]; **D114/79** Kang Sum WRI, A83 [“There was only 164 in Kampong Som Province”].

1824 **D54/102** Ek Ny WRI, A23 [“Teuk Sap was also a prison of Division 164”]; **D114/208** Long Phansy WRI, A41 [“The Tuek Sab jail was under the control of Division 164”]; **D54/20** Sam Saom WRI, A10, 12 [“[Tuek Sap Prison] was under the command of Division 164 Commander Meas Mut [...] A12: I heard that whenever

anyone was arrested or disappeared, they would be sent to Tuek Sap Prison which was a sector/regional prison under the control of Meas Mut”]; **D54/23** Pak Sok WRI, A40-41 [“I know one place which was a detention office of Division 164. It was located in the fresh water area [in Toek Sap]. There was a security office and a detention office [...] A41: when a soldier was arrested, they would be taken to the fresh water area. It was a re-education office as well”]; **D114/19** Mak Chhoeun WRI, A8 [“Q: Have you ever known other detention sites under Division 164? A8: No, I knew only Tuek Sab Detention Office”]; **D54/98** Heang Ret WRI, A142 [“I do not know which military unit supervised the correctional office in Tuek Sab, but I know that this correction office was under the control of Division 164”]; **D54/89** Kuy Nen WRI, A13, 31 [“It began soon after the Khmer Rouge controlled the country in April 1975. It was the location of a regiment. I do not remember the name of its commander, but I can recall that the regiment’s designation was 164. The army, navy, and all islands were under Regiment 164 [...] A31: We, the civilians in the area, knew that it was a headquarters of the Khmer Rouge military”]; **D114/40** Moul Chhin WRI, A4 [“Because Tuek Sab Prison and Wat Enta Nhien Prison were managed by Division 3 of the military”]. *See also* **D114/242** Prak Bunny WRI, A97-98 [“Toek Sap prison] was under military control. [...] A98: Because, at that time, everyone including the old and young people knew that the prison was located there. If anyone living in the vicinity of that area committed a mistake, they would be sent to that prison”].

1825 **D1.3.12.3** Telegram from Meas Mut to Brother 89 (Son Sen), 22 Feb 1976, EN 00233903 [“Enemy situations: according to the responses of the one arrested east of Toek Sap, the seven persons arrested at Sangvav belonged to his group”].

1826 **D114/27.1.5** DK Military Meeting Minutes, *Minutes of Divisional and Regiment Under-Secretary of Logistics Meeting*, 19 Sep 1976, EN 00183977, 00183980 [“Conclusion by Brother 89: [...] Division 164 must stop water flowing from the foot of the mountains and Prek Toek Sap small stream without fail. Must make a basin”].

1827 **D1.3.27.20** DK Military Minutes, *Meeting of Secretaries and Deputy Secretaries of Division and Independent Regiments*, 9 Oct 1976, EN 00940340 [“Comrade Dim (Meas Muth present): We seized a 13 year-old girl in the vicinity of the fresh water (Toek Sap) area. She confessed that she was among a group of three, who are probably staying at Ou Phos now”].

1828 **D114/116** Svay Saman WRI, A5-A11 [“I saw him coming [to Teuk Sab] occasionally. [...] A6: I saw Meas Muth, the Division 164 Commander. [...] A7: I saw him coming by car. I saw him in the car; then he went down to the port at the edge of Teuk Sab Tributary. [...] A8: It was the Chinese Jeep. [...] A9: I do not know how often he came to Teuk. I only knew that he came here occasionally. I knew it from subordinates who came to tell me. My subordinates told me that the chiefs came to visit Teuk Sab. [...] A10: The subordinates told me that the Commander from Kampong Som came. They said that the Commander was Meas Muth. [...] A11: Meas Muth came to Teuk Sab roughly once every four or five months. My subordinates told me he came”].

1829 **D2/8** Say Born WRI, A39 [“Q: What was the previous name of the Regiment 163? A39: It was the Regiment 22”]. Others identify the early regiments as 11, 12 and 13; 14, 15 and 16; or 31, 32 and 33. *See further* para. 217.

1830 **D114/66** Chet Bunna WRI, A11-12, 19 [Regiment 63 Commander Chorn and Deputy Nhann were in charge of Toek Sap prison]; **D114/77** Svay Sameth WRI, A20 [“Q: Of the regiments under Division 164, which one had jurisdiction over Teuk Sab Sector? A20: Regiment 63 did”]; **D114/139** Nguon Lay WRI, A88 [“That place was also under the same supervision as Regiment 63, but it had different sections. I was put in the sawmill”]; **D54/111** Sam Phin WRI, A16 [“To my knowledge, Toek Sap was under Regiment 63. Toek Sap was located near Prey Nob. However I worked in Kampong Som”]; **D114/115** Svay Saman WRI, A8, 30 [“Tuek Sab was under Regiment 63, Division 164 [...] Q: Where was the regiment headquarters located after moving to Tuek Sab? A30: The headquarters was situated at the concrete building at the Tuek Sab dock”].

1831 **D114/115** Svay Saman WRI, A36 [“The prison guards belonged to a special unit under Regiment 63”].

1832 **D114/116** Svay Saman WRI, A47 [“When you left Teuk Sab in 1977, was Nhen still in charge of the prison at Teuk Sab? A47: Yes, he was. He was still in charge of the prison at Teuk Sab”]; **D114/115** Svay Saman WRI, A3, 5 [“My brother-in-law Nhen [...] was an interrogator in the prison, and I used to transport coconuts to Nhen directly at the prison [...] Q: Can you tell us who the prison chairman was? A5: Nhen, but I do not know his surname. Nhen was my older brother-in-law, but he has already passed away. Nhen was the husband of my elder sister”].

1833 **D54/104** Ek Ny WRI, A5 [“Yan was a member of Division 164”]; **D114/32** Meas Saran WRI, A26 [“As far as I knew, Yan was Division 3 Committee”]; **D114/282** Ek Ny WRI, A12 [“The people at the division level

included Chhan, Uncle Ngeth, Brother Yan, and Brother Dim”]; **D114/116** Svay Saman WRI, A27 [“Mom Yan was in Division 164 in 1975”]; **D114/155** Sok Ren WRI, A67 [“Ta Dim, Ta Yan, and Ta Chhan served in Division 164”]; **D54/81** Hing Uch WRI, A14 [“Division Deputy Commander Dim was from the East Zone. Brother Chhan, a division member, came from Koh Kong Province. Later Yan also came in to take charge of Division 164 with Uncle Mut”]; **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655 [listing Comrade Mom Yan as “Division” along with Hoeng Dim]. *See also* **D1.3.28.45** S-21 Prisoner List, 26 Aug 1977, EN 01321440 [listing Mam Chim alias Yan as Division Member of Division 164]; **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [listing Mom Yan as Division 164 Member]. *See further* **D114/69** Kuy Sambath WRI, A1 [“I did not know who the members of the sector committee were, but there were two people, Ta Dim and Ta Yan”].

1834 **D2/8** Say Born WRI, A40 [“Yan was the commissar, Sras was the deputy, and Nhan was the member”]; **D54/104** Ek Ny WRI, A5 [“Ta Sros was the Commissioner of that regiment, and Yan was the Commander”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A3, 20 [“The regiment commanders were Yan (deceased) and Sros [...] A20: Let me confirm about the locations. Regiment 16, which was under Yan, was stationed in Kang Keng”]; **D54/112.1** Phlong Chhea DC-Cam Statement, EN 00968345, KH 00926490 [“Q: Can you recall who was the commander of the regiment? [...] A: Yan”]; **D54/46** Em Sun WRI, A35 [“Sras was the Chief of Regiment 22”]; **D114/16** Sok Vanna WRI, A5 [“Yan was the commander of Regiment 33 with its headquarters at Tuek Sab”]; **D114/178** Oem Sokhan WRI, A35 [“The commander of Regiment 63 was Yan on Koh Seh Island, Koh Ta Kiev Island, Koh Thmei Island near Ream”]; **D54/81** Hing Uch WRI, A14 [“Later Yan also came in to take charge of Division 164 with Uncle Mut. He was a former commander of Regiment 63”]; **D114/116** Svay Saman WRI, A30 [“[Mom Yan] had been the commander of Regiment 63 of Division 164 since the beginning”]; **D54/33** Ing Chhon WRI, A9 [“Battalions 530, 540 and 550 were under a regiment whose commander was Ta Yan”]; **D54/7** Dol Song WRI, A6 [“Ta Yan was the Political Chairman of Regiment 22”]. *See also* **D54/116** Neak Yoeun WRI, A1 [“[Yan] was commander of a regiment, but I did not know what regiment”].

1835 **D114/116** Svay Saman WRI, A33-34 [“Q: Did Mom Yan work at the headquarters at the port which you talked about earlier? A33: Yes, he did. He worked there. He was in command of that sector [...] Q: Was Mom Yan in charge of the headquarters when Meas Muth went there, as you described earlier? A34: Yes, he was”].

1836 **D114/116** Svay Saman WRI, A30, 32 [“[Mom Yan] had been the commander of Regiment 63 of Division 164 since the beginning. [...] A32: Normally, he came to eat rice at the dining hall in Teuk Sab”].

1837 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4797 [entered 28 April 1977 or May 1977, executed 13 March 1978]; **D1.3.28.2** S-21 Prisoner List, 2 Jun 1977, EN 01321750, KH 00086996 [identifying Mom Yan as Division 164 Member who was sent to S-21 in May 1977]; **D1.3.28.45** S-21 Prisoner List, 26 Aug 1977 [listing Mam Chim alias Yan]; **D54/7** Dol Song WRI, A6 [“Ta Yan and Vet were arrested during the purge of Division 164 in Kampong Som”]; **D114/95** Yoem Sroeung WRI, A64, 66 [“Q: Can you tell us the names of people you know who were taken away? A64: They were [...] Yan [...] accused of being Vietnamese spies or CIA. [...] A66: They were all under Meas Muth. [...] Yan was a regimental chairman”]; **D54/104** Ek Ni WRI, A5 [“Yan was a member of Division 164 [...] Yan was among traitors whose names were made a rhyme by Ta Mut”]; **D54/8** Dol Song WRI, A4-5 [“those arrested were: Yan, Commander of Regiment 22; Nget, Commander of Regiment 20; and, Vet, Commander of my battalion [...] A5: They were arrested at the end of 1977 or in early 1978. I did not see the arrests with my own eyes, but the arrests were mentioned in the unit meetings”]; **D54/102** Ek Ny WRI, A1 [“In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan, and A Dim. I remembered hearing Meas Muth calling these men’s names starting with the word ‘A (the contemptible)’ because ‘A’ was the derogatory word for use on the traitors”]; **D114/116** Svay Saman WRI, A26-33 [explains that Mom Yan, Regiment 63 commander, disappeared in 1977].

1838 **D54/102** Ek Ny (Ni) WRI, A1 [“in late 1976 toward the beginning of 1977 [...] they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed [...] Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level. I remembered hearing him calling the names A Ya, A Thuch, A Nhek, A Yan, A Chhan,

and A Dim”]; **D54/104** Ek Ny WRI, A5, 9 [“Yan was among traitors whose names were made a rhyme by Ta Mut, “Nhoek, Chhan, Yan and Doem were traitors [...] A9: I think the name Doem in this document is Doem whom I have mentioned earlier regarding the rhyme, *Contemptible* Nhoek, *Contemptible* Chhan, *Contemptible* Yan and *Contemptible* Doem”].

1839 **D54/48** Em Sun WRI, A58 [“I just heard that Nget and Sras were arrested, but I did not know where they were sent to”].

1840 **D114/77** Svay Sameth WRI, A20, 30 [“The commander of Regiment 63 was Chorn. Nhanh was Chorn’s deputy [...] A30: He [Yan] was the Commander of Regiment 63 before Chorn came to replace him. I do not know what happened to him”]; **D114/18** Mak Chhoeun WRI, A6 [“the commander of that regiment was Yan. Later, in 1976, when we were in Kampong Som, Ta Yan was transferred to another place and Ta Chorn became the commander of my regiment: Regiment 63 was my regiment at that time. In 1977, Ta Chorn disappeared”]; **D114/66** Chet Bunna WRI, A12, 19 [“There were Ta Nhann and Ta Chorn who were the commanders of the Regiment 63 [...] A19: When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy”]; **D114/115** Svay Saman WRI, A14 [“The commander of Regiment 63 was Chorn. His house was near Tuek Sab”]; **D114/139** Nguon Lay WRI, A93 [“Q: Before this, you have stated the name of the sawmill office chief, but who was the chairman of Regiment 63? A93: First, Chhorn was the chairman”]; **D54/110** Lon Seng WRI, A7 [“I knew these people since the beginning. Nhann was a commander of Regiment 61, Son was a commander of Regiment 62. Meanh and Chorn were commander of Regiment 63”]; **D114/114** Svay Saman WRI, A19 [“Who were the commanders of Division 164 and Regiment 63? A19 [...] Chorn was the regiment commander”]; **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655, KH 00095536-37 [listing Comrade Sin Chorn as Secretary of Regiment in Division 164].

1841 **D114/115** Svay Saman WRI, A8, 14 [“Tuek Sab was under Regiment 63, Division 164 [...] A14: The commander of Regiment 63 was Chorn. His house was near Tuek Sab”].

1842 **D114/15** Sok (Suos) Vanna WRI, A26 [“Chorn got orders directly from Meas Mut”].

1843 **D54/7** Dol Song WRI, A14-15 [“As for the question on who presided over the regular meetings between the regiment commanders and the Special Battalion, the answer is that it was the Commander of Division 3/164 [...] A15: It was Meas Mut”]; **D114/66** Chet Bunna WRI, A20 [“I never saw any person with this kind of character and attitude like Ta Mut. He was very strict. He always called the commanders of the regiments and battalions to his place to receive his order. Those battalion and regiment commanders understood very well what to do to follow Ta Mut’s order. If they could not execute his order successfully, they would definitely have problem”]; **D54/44** Lon Seng WRI, A26, 28 [About the announcement by Meas Muth that the East Zone soldiers were bad-element soldiers: “The announcement was made in a special meeting where only certain battalion and regiment leaders were selected to attend [...] A28: The chief of the division Meas Mut advised the regiment commanders to obtain information on historical backgrounds of the East Zone soldiers from their hometowns”]; **D114/19** Mak Chhoeun WRI, A16-17 [“Sometimes Ta Dim chaired the meetings, and sometimes Ta Mut chaired the meetings [...] A17: Sometimes, the meetings were plenary meetings attended by all battalion commanders, regiment commanders, and naval and land commanders of Division 164”]; **D54/31** Soem Ny WRI, A5 [“At the time the divisional headquarters and the divisional commander’s house were together. Commanders of each regiment came to join meetings there every month on the 10th, 20th, and 30th days of each month”].

1844 **D54/98** Heang Ret WRI, A120-124 [“Q: According to your interview with the Documentation Center of Cambodia in English, on page 71, you said that, “After listening to the report, Bang Meas Muth asked Ta Nhan about the killing of people. He asked, ‘Who told you to kill those people? Who permitted you to investigate people at their houses? You deserve to be the same way by the people. Actually, the people should have poured hot water on your head. You did not have the right to monitor them. Before you killed people, did you get permission from your superior?’ Q: Did you hear Meas Muth scolding Ta Nhan like this first-hand? A120: Yes, I heard that first-hand, because that time there was an assembly which the Division 164 leaders attended. Q: When Meas Muth told Ta Nhan, “Before you kill people, you have to get permission from your superior.” What did he refer to by “superior”? A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander. Therefore, in this sense, it meant that Ta Nhan needed permission from Meas Muth. Q: Do you know in what circumstances those people were taken to be killed by Ta Nhan? A122: I do not know in what circumstances the people were killed by Ta Nhan, but I remember that in that meeting Ta Nhan reported to Meas Muth that he had killed

- people. Q: When did the assembly take place? A123: It happened in 1975, but I do not remember the month. Q: You arrived in Kampong Som on 20 April 1975, can you estimate when the assembly took place? A124: As far as I can remember, it took place in July 1975”].
- 1845 **D54/115** Neak Yoeun WRI, A15, 21-24 [“Q: Who was the person ordering you to make the biography after Yan’s disappearance? A15: At that time, there was a study session which lasted for five days. [...] Cadres of the division included Ta Nhan and Ta Muth who ordered us to make the biography. These two cadres also taught us during that study session [...] Q: What did Nhan and Meas Muth teach in the study session? A21: They taught us about the resistance movement and the current political situation [...] A22: Nothing was mentioned about Yan’s case. But on the last day of the study session, during the hours we were making the biography there was questions asking us about that. One of the questions asked if any one of us had ever worked with Yan in the past [...] A23: At that time Meas Muth wrote the questions on the blackboard. [...] A24: Based on my observation, three to four persons, who used to work directly under Yan, disappeared”].
- 1846 **D114/66** Chet Bunna WRI, A19 [“When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy”]; **D114/18** Mak Chhoeun WRI, A11 [“In 1976, Ta Chorn came to replace Ta Yan, who was the commander of Regiment 63, and Ta Nhan was the deputy of Ta Chorn. In 1977, when Ta Chorn disappeared, Ta Nhan, who was his deputy, took command of the regiment”].
- 1847 **D114/66** Chet Bunna WRI, A12, 19 [“There were Ta Nhann and Ta Chorn who were the commanders of the Regiment 63 [...] A19: Later on, Chorn was arrested and Nhann took over his position”]; **D114/18** Mak Chhoeun WRI, A6 [“I did not remember the number of the regiment, but the commander of that regiment was Yan. Later, in 1976, when we were in Kampong Som, Ta Yan was transferred to another place and Ta Chorn became the commander of my regiment. Regiment 63 was my regiment at that time. In 1977, Ta Chorn disappeared”].
- 1848 **D114/18** Mak Chhoeun WRI, A11-12 [“In 1977, when Ta Chorn disappeared, Ta Nhan, who was his deputy, took command of the regiment [...] A12: At that time, there was only Ta Nhan. His deputy had not yet been appointed. In addition, there was no official announcement that Ta Nhan had replaced the previous commander; but the daily work of the regiment was overseen by Ta Nhan”]; **D114/66** Chet Bunna WRI, A12, 19 [“There were Ta Nhann and Ta Chorn who were the commanders of the Regiment 63 [...] A19: Later on, Chorn was arrested and Nhann took over his position”]; **D114/86** Chet Bunna WRI, A26 [“Ta Nhan was the Commander of Regiment 63”]; **D54/23** Pak Sok WRI, A2 [“Regiment 63 was commanded by Ta Nhan”]; **D54/98** Heang Ret (Hieng Reth) WRI, A28, 121 [“I remember that Ta Nhan was the commander of Regiment 63 [...] A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander”]; **D114/17.1** Ma Chhoeun DC-Cam Statement, EN 01313341, KH 01033986 [“Q: Who was in charge of Regiment 63? A: Ta Nhanh was”]; **D114/103** Liet Lan (Liet Lorn) WRI, A37, 111 [“Who commanded the land army? Nhan. He is now deceased [...] Q: Do you know the names of those who belonged to the Special Command that Meas Muth sent to the battlefield? A111: Lan (deceased) and Nhan (in charge of Division 3 Logistics)”]; **D114/139** Nguon Lay WRI, A14, 17-18, 19-20 [“I was also a personal bodyguard of Nhan [...] A17: Ta Nhan was sent to Kampong Saom [...] A18: I went with him. I was still his personal bodyguard. [...] A19: it was probably at the end of 1975 or at the start of 1976 when I went [to Kampong Saom]. [...] A20: I was in Division 164, Regiment 63”]; **D114/202** Or Saran WRI, A14, 38 [“What was the name of the commander of Regiment 63? A14: His name was Nhan [...] A38: Comrade Veth and Nhan were the commanders of the regiment. Nhan was only ever stationed on land”]; **D114/16** Sok Vanna A3, 37 [“[Ta Nhan] was promoted from company chairman to battalion chairman to regiment chairman, and then to be Ta Mut’s deputy [...] A37: I attended regimental level meetings chaired by Ta Nhan many times. Only persons with good biographies were called to attend those meetings”].
- 1849 **D114/18** Mak Chhoeun WRI, A12 [“the daily work of the regiment was overseen by Ta Nhan, because Ta Nhan was responsible for communicating with the division”].
- 1850 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Granduncle Nhan was a soldier. He was a regiment [commander]. Q: So, when you needed something, you sent your request to Granduncle Nhan, and then Granduncle Nhan would forward it to Granduncle Mut. A: Yes, he forwarded to Granduncle Mut”].
- 1851 **D114/113** Koem Men WRI, A126 [“In 1977 [...] [i]n Division 164, new people came and replaced [Dim and Chhan]. There were Brother Nhan and another person whose name I do not recall. They were Meas Muth’s deputies”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.04.35-15.07.21 and **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 09.19.34-09.21.26 [testifying that the Division 164 committee members included Kim Nhan]; **D22.2.181** Meas Muth US POW/MIA Statement, EN 00249694 [“The Command Committee of the 3rd

Division included [...] ((Nhan)) – Member of the Committee for Logistics”]; **D114/16** Sok Vanna WRI, A1 [“Ta Nhan was the deputy chairman of Ta Mut, the Division 164 Commander”]; **D114/79** Kang Sum WRI, A229 [“Ta Nhan was the Deputy Commander of Division 164. He was in charge of logistics”]; **D54/73** Mut Mao WRI, A6, 9, 16 [In Division 164 Committee: “there were three people: Ta Mut, Ta Saroeun and Ta Nhan [...] A9: Ta Saroeun was sent to Kampong Som Port [...] A16: After Ta Saroeun had been sent to Kampong Som, Ta Seng arrived. When Meas Mut was not present, Ta Seng and Ta Nhan came”]; **D114/103** Liet Lan (Nam Lan) WRI, A25, 111 [“Q: Who else were division members? A25: Nhan (deceased). He had come from Division 3 [...] A111: Lan (deceased) and Nhan (in charge of Division 3 Logistics)”]; **D2/16** Touch Soeuli alias Soeu Touch WRI, A12 [“At that time Meas Mut was the Division chairman, and Ta Nhan was the Division [164] member”].

1852 **D54/73** Mut Mao WRI, A8 [“they [Ta Muth, Ta Saroeun and Ta Nhan] all stayed in the office compound, but in different houses. They had meals together in the kitchen and sometimes their messengers delivered their meals to them in their houses”].

1853 **D114/66** Chet Bunna WRI, A19 [“When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy [...] Chorn was arrested and Nhann took over his position [...] I usually saw Nhann and Seng representing the Division in every meeting during the period near the end of the Khmer Rouge regime in late 1978”].

1854 *See VIII.I. Purge of Division 117 and Sector 505 – 3. Purge, Replace, Control. See further D114/18* Mak Chhoeun (Ma Chhoeun) WRI, A16-17 [“I reported to Ta Nhan until nearly the end of [the] Khmer Rouge regime. I stopped reporting to Ta Nhan at that time, because Ta Nhan was sent away. I think that he was sent to fight against the Vietnamese at the border in Takeo Province. [...] Q: Can you clearly recall when Ta Nhan left Kampong Som? A17: I cannot tell you or estimate the time. I just know that it was shortly before the Vietnamese arrived. Ta Nhan was sent from Kampong Som and may have been sent to fight against Vietnamese at the border in Takeo Province”]; **D54/110** Lon Seng WRI, A5-7 [“Nhann was one of the people who went to Kratie with Meas Muth. [...] A6: At that time, because the Vietnamese troop[s] already arrived [in the] Kratie area, thus Ta Mut went there to fight against the Vietnamese. Therefore, Meas Mut brought with him some people like Nhann, commander of the special unit and other commanders he trusted. I know that these people went to Kratie because during a meeting my commander made an announcement to us regarding names of leaders and where they would go. Q: Did you know how many soldiers went to Kratie with Meas Mut? A7: Most of the land army under the navy, except those who were in charge of the ships, was sent Kratie with Ta Mut”]; **D114/193** Sao Sarun WRI, A64 [“I only heard from others that [Nhan] was from the naval division and had come to Kratie to carry out arrests. That story ended when the Vietnamese came on 7 January”]; **D54/29** Liet Lan (Nam Lan) WRI, A14-15 [“After the collapse of the regime in 1979, I met with some Division 164 soldiers who had fled to the border with Thailand. They told me they had been to many places fighting the Vietnamese [...] I can only remember [the name] of Tay Ninh Province. [...] A15: I knew that some commanders from Division 164 including Ta Nhan and Ta Lan, also joined the battles along the border”].

1855 *See VIII.C.2. Arrests and Detention in Division 164 Security Centres – Lack of Due Process.*

1856 **D54/20** Sam Saom WRI, A11 [“The victims sent [to Toek Sap] were combatants from Division 164 and some civilians”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978579 [“When they arrested people they took them to Teuk Sap [...] They were the places where they detained the soldiers and civilians”]; **D54/20** Sam Saom WRI, A12 [“I heard that whenever anyone was arrested or disappeared, they would be sent to Tuek Sap Prison [...] at that time, anyone had the right to arbitrarily arrest and kill people. I was also afraid of being arrested and killed”]; **D114/242** Prak Bunny WRI, A101-102 [“[Tuek Sab] prison was not only used to imprison civilian prisoners, but also soldiers. It was a common prison. [...] A102: it was a military base, so if the civilians did anything wrong, they would be sent there”].

1857 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.46.19-10.49.49, 14.00.50-14.14.44 [testifying that fellow soldiers in Regiment 62 of Division 164 were arrested and sent to Toek Sap for writing the words “Communist Devil”. The witness explained that “they were all soldiers [detained at Toek Sap] [...] Generally, the soldiers whom I had known from Division 164 were sent there. Regardless of Regiment 61, 62, 63, 64, the soldiers in there would be sent to that place as long as they had some activities against the regime [...] If they committed serious acts, or serious infractions, they would be sent to Toek Sap [...] serious offenders were sent to Toek Sap [...] the offenders who were sent to Toek Sap were those who committed severe infractions”]; **D54/27** Pak Sok WRI, A6 [“Our sawing team consisted of three military personnel [...] they wrote ‘Tamil’ on the wood. At that time the regiment commander came to our worksite and saw that

word. Later he called those three and took them into detention at the office of the battalion. [...] One day while I was walking to work, I saw those three men working while chained by the ankles near the fresh water site (Teuk Sap)”; **D54/98** Heang Ret WRI, A138-139 [“in case of a serious mistake, that soldier would be sent to the correctional office in Tuek Sab [...] A139: In case someone made a mistake and was advised three times and did not correct himself, that person was regarded as committing a serious mistake and sent to Tuek Sab”]; **D54/35.1** Prak Sokha DC-Cam statement, EN 00971212, KH 00964247-48 [“Q: Were any people in your unit disappeared/arrested during that time? A: Yes, there were. Some people in the mobile unit, who had made mistakes, disappeared, and some were taken away to be reeducated at the fresh water area known as Teuk Sap. At that time we only knew that they were taken by *Angkar* to be reeducated. [...] They [Khmer Rouge] sent them to Tuek Sap, to a place next to the Tuek Sap Bridge. I saw they were sending the arrested people to Teuk Sap”]; **D54/37** Soem Ny WRI, A4 [“As I have mentioned earlier, they divided prisoners into groups according to the mistakes they made. The prisoners who committed severe mistakes were sent to Tuek Sap, while the prisoners who committed minor mistakes were detained in Entheak Nhean Pagoda”]; **D54/20** Sam Saom WRI, A12 [“I was on a remote island, but I heard that whenever anyone was arrested or disappeared, they would be sent to Tuek Sap Prison which was a sector/regional prison under the control of Meas Mut”]; **D54/102** Ek Ny (Ni) WRI, A23 [“Teuk Sap was also a prison of Division 164 for detaining serious crime prisoners. They detained ordinary soldiers, who had committed serious crimes, in Teuk Sap”]; **D54/117** Meas Saran WRI, A55-56, 69 [Wife of Division 164 soldier: “I had heard there was a prison near the Tuek Sab Bridge to detain prisoners who had committed more serious offenses than those in Put Te Cooperative. I also heard that prisoners with even more serious charges than those in Tuek Sab Bridge were sent to Kraing Slaeng [...] A56: Kraing Sleng was also a prison, but I do not know where it was located. My friend Nhan told me that my husband had been imprisoned in Kampong Som, but her husband had been imprisoned at Kraing Slaeng. [...] A69: I knew that my husband was detained at Tuek Sab Prison”]; **D114/89** Seng Sin WRI, A92-93 [“At that time, if there were people who were considered criminals, they would be sent to a prison [...] A93: It was at Toek Sap Bridge”]. *See also* **D114/6** Yin Ten WRI, A57, 60, 63, 139 [Wife of Division 164 soldier: “Q: In your application you mentioned that your husband was arrested and imprisoned at Tuek Sab. Is this correct? A57: Yes, that is correct. He was imprisoned at Tuek Sab twice [...] A60: Rumour had it that he had been taken to be imprisoned at Tuek Sab. I asked a lot of people and I heard that he had truly been imprisoned there [...] A63: He [Ran, Smach Daeng Village Chairman] told me that he had seen my husband imprisoned at Tuek Sab [...] A139: I would like to clarify that my husband was imprisoned at Tuek Sab”].

1858 **D54/27** Pak Sok WRI, A9 [“Division 164 military personnel who had criticized the policies of that regime were detained at Teuk Sap”]; **D114/242** Prak Bunny WRI, A82 [“I heard from my chief that they were soldiers who were politically incorrect”].

1859 **D54/36** Prak Sokha WRI, A31 [“We were told we had to carry out the plan by *Angkar*. If we protested we would be sent to Teuk Sap. If we could not complete the quota we would be criticized and ordered to work until it was completed. If we protested we would be sent to Teuk Sap”].

1860 **D114/86** Chet Bunna WRI, A7 [“If our names had been mentioned, we would have been sent to Phnom Penh or Teuk Sab, depending on how serious the case was”]; **D114/32** Meas Saran WRI, A89 [“high-ranking cadres were detained in Kraing Slaeng Prison, not Tuol Sleng, Prison, but low-ranking soldiers like my husband were detained in Tuek Sab Prison in Kampong Som”]; **D114/194** Sorn Sot WRI, A39 [“Senior cadres were not detained [at Toek Sap] but sent to another place”].

1861 *See, e.g.,* **D1.3.30.5** DK General Staff Report, *Table of Statistics on Students Studying at the First General Staff Study Session*, 20 Oct 1976, EN 00897655, KH 00095536-37 [listing Comrade Iek Manh as Secretary of Regiment in Division 164]; **D114/132** Mao Ran WRI, A30 [“Q: Who was the commander of Regiment 21? A30: Ta Meanh”]; **D54/20** Sam Saom alias Sam Ket WRI, A7 [“The first Regiment commander was Ta Meanh – but I did not know who replaced him”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A18 [“Regiment 15 was under Commander Meng”]; **D2/8** Say Born WRI, A45 [“Meanh was the commissar of the Regiment 21 or 62 [...] The commissars were not changed before and after the fall of Phnom Penh”].

1862 **D54/20** Sam Saom alias Sam Ket WRI, A8-9 [“It was a battalion of Regiment 21 [...] Meanh was sent for education in 1977; but I remember that he had been imprisoned at Tuek Sap Prison [...] A9: Q: How did you know that Ta Meanh was sent to Tuek Sap Prison? A9: In 1981 or 1982, I learned this information from a person named Svay Sam An, a guard at Tuek Sap Prison. San-An told me that Ta Meanh had been imprisoned there. I asked Sam-An what he knew about Ta Meanh. I did not ask him where Tuek Sap Prison was located, nor do I know where Ta Meanh was killed”]. *See also* **D114/113** Koem Men WRI, A92 [“Q:

Was Meanh transferred elsewhere? A92: In 1976, he was. Yang replaced him. He was transferred to Kampong Som”; **D54/102** Ek Ny WRI, A45-48 [Q: What was the name of the unit commander in charge of Koh Tang Island? A45: His name was Mienh. He was the political commissar of Regiment 62. He was arrested by Ta Muth later on. [...] A46: As I knew it, Mienh had been arrested and then was sent to Phnom Penh [...] A47: later on the leaders told us that Mienh was a traitor [...] A48: It was in 1977”]; **D114/89** Seng Sin WRI, A207 [“I knew [Meanh the Regiment 62 Commander], but I do not know what happened to him. I only know that he went missing”].

1863

See **VIII.C.1. Security Centre Network – b) Wider DK Network.**

1864

D114/130 Iem Phong WRI, A109 [“They detained Ta Sokh at Tuek Sab Prison. He was Khmer Rouge medical staff. He used to be the chief of surgery at Kampong Som”]; **D54/117** Meas Saran WRI, A11-12, 18 [“about the hospital in Chamkar Chek. Who was the chairman of the hospital? A11: The chairman was Sokh [...] A12: He worked there for a few months. In late 1975, he was arrested and imprisoned at Tuek Sab Bridge [...] Hao came to replace Sokh at the beginning of 1976 [...] A18: I was sent to a cooperative where Sokh’s children were. Sokh’s children told me that Sokh and his wife had been arrested and imprisoned at Tuek Sab Bridge”]; **D114/155** Sok Ren WRI, A61 [“I heard there was a prison in Tuek Sab and Stueng Hav where political prisoners were detained. [...] At that time I heard that they arrested Bang Vi, the wife of doctor Sokh and imprisoned her at Tuek Sab but I do not know where doctor Sokh was arrested or where he was sent to. [...] Both husband and wife died. Sokh was a former hospital chief of Sector 37”].

1865

D54/103 Ek Ny (Ni) WRI, A3 [“After the arrest of the leadership of Sector 37 and Bang Norng Chhan, Deputy of Ta Muth of Division 164, soldiers under Bang Norng Chhan were no longer trusted. [...] There were approximately twenty unmarried women working closely with Bang Norng Chhan, as his cooks, messengers and assistants. After the arrest of Bang Norng Chhan, those women were taken to Tuek Sap prison, where was strictly guarded by armed guards. As for my group, we were guarded by armed guards all the time. One day I saw those women at Tuek Sap while I was assigned to farm paddies there. When I saw those women, I wanted to say hello to them, but my unit chief did not allow me to stay close to them because they were prisoners. After the victory in 1979, I met parents of one of the twenty women, called Cham [...] they said that Cham never returned home [...] During that time, I heard that those twenty women were arrested to Tuek Sap; they were accused of being Chhan lovers”].

1866

See, e.g., **D54/35** Prak Sokha WRI, A14, 17 [“In the mobile unit were former soldiers of Division 164 who were considered to be no-good elements. This mobile unit was still under Division 164. The unit was sent to work in an area called Preaek Chak Village about two kilometers east of Ream Port [...] A17: In 1977, but I do not remember the exact date, my mobile unit was sent from Preaek Chak to the Kang Keng area, where we were ordered to work in Praboh and Pu Thoeung Villages north of National Road No. 4 and opposite Bet Trang Village”]; **D114/40** Moul Chhin WRI, A23-24 [“Q: Who did you and the other people report to when working at the dam? A23: At that time, we had to report to Koeun, a regimental commander in Division 3. Q: Can you tell us the number of this regiment? A24: This regiment had no number. Koeun was the unit chief who had the aforementioned 300 people under his command. It was a mobile unit whose members were demobilized soldiers from Division 3”]; **D114/65** Chet Bunna WRI, A16 [“At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Babos. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry where I worked until the Vietnamese arrived.”]; **D114/66** Chet Bunna WRI, A19 [“At that time, in the Division 164 there were three units which were classified as the not-good-element units. Among those three units, two were the Battalion 20 and 21 and another unit was the Company 19. These three units consisted of soldiers who were classified as the not-good-elements. In the Company 19, there were about 100 soldiers who were all classified as the renegade soldiers. The commander of this Company unit named Ta Than [...] At that time this unit stayed in a place called Sre Nep. The Battalion 20 stayed in the Babos West village, and its commander was Ta Rit. The soldiers in this unit were the former troops from Sector 37. The Battalion 21 was in the Babos East, and this unit was under Ta Kheng. There were over 200 soldiers in this Battalion unit, and they all were the former troops from the East Zone”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 1505.58-14.14.44 [“Q: So those who had bad biographies, in particular those who had relatives who had worked as servicemen for the Lon Nol regime, who had been Lon Nol officials, were cast aside. So what did that mean? Were they set aside? Were they taken away? Do you know where these people went? And do you know what happened to them? A: In Division 164, to what I knew, there was a mobile unit namely, “Ta Chhay Unit”. Those who were linked to bad elements would be put in one group. For instance, if I had parents, had a father

who was linked to American CIA, “Yuen’s” or KGB agents, then, I was no longer trusted. Subsequently, I would be removed into a mobile unit which was tasked with working the fields near Bo Bos (phonetic), to the north of Kang Keng and Smach Daeng. That was the place to house those who were linked to the tendency of former regime. [...] There were great numbers of people, 400 or 500, within that mobile unit or Ta Chhay unit or production unit.”]; **D114/89** Seng Sin WRI, A75 [“There were around 50 or 60 people all of whom were from the island.”]; **D54/43** Lon Seng WRI, A19 [“That production unit was comprised of thousands of former military officers who were regarded as ‘bad elements’”]; **D2/6** Nhoun Chrong WRI, A28 [“Those soldiers were from all different units under the Regiment 22. When they had any problems or bad trends, they were removed from the Regiment and put in the production unit”]; **D114/53** Uk Sok WRI, A218 [“Q: How many people farmed rice there? A218: There were not many civilians. Soldiers came to help farm rice when the farming season arrived.”]; **D114/79.1** Kang Som DC-Cam Statement, EN 01123286 [“Q: Were the people who were tasked with farming rice in that area civilians or soldiers? A: They were soldiers of Division 164. They were tasked with farming on the farmlands from the Cheng Heng Coconut Plantation to the Teuk Sab Bridge”].

1867 **D114/194** Sorn Sot WRI, A39 [Former Battalion 386 combatant disarmed and sent to cultivate rice: “Q: Did you ever hear of place called Teuk Sap? A39: Yes, I did. It was place to detain prisoners. My group was detained over there. If anyone who was cultivating rice with me and committed mistakes, we would be detained there”]; **D114/85** Chet Bunna, WRI A5-6 [“We were considered the same as prisoners. We were not detained, but we were tempered. If they were not satisfied with our work, they would send us to Teuk Sab immediately. I mean that if they were not fond of our behaviour or work, or if we complained about the work, they would immediately send us to Teuk Sab [...] they placed us aside to be scrutinised, followed up and tempered. In short, they treated us even worse than they did to the 17 April people [...] They monitored us carefully. Therefore, if we made even a tiny mistake, they would take us to be punished immediately [...] A6: While we were within this bad component unit, we were convinced that if we made even a minor mistake, we would immediately be taken to be punished. At that time, I was about 18 years old. At that age one was supposed to consume a lot of food. However we never ate enough. If anyone took or stole anything, he would be taken to be imprisoned at once. As I mentioned in the previous interview, only one of the three people who were arrested at my place and imprisoned in Teuk Sab managed to survive and return”]; **D114/66** Chet Bunna WRI, A19 [“Whenever there was anyone in the not-good-element had made a mistake, he/she would be sent to be detained in Teuk Sap. During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank”].

1868 **D114/194** Sorn Sot WRI, A5, 22 [“The special sector army and Battalion 386 were integrated in Division 3 after the liberation in 1975. In late 1976 or early 1977, all the commanders were arrested because the cadres of the sector were accused of being traitors. After all of them were arrested, my group was dissolved. We were then sent to cultivate rice. [...] A22: I was cultivating rice at Prek Chak and Koh Sampauch in the east of Ream”].

1869 **D114/194** Sorn Sot WRI, A66 [“One guy did not have enough food, so he stole a potato. The was arrested, tied up, and sent to Teuk Sap. People called him Laktak. He was removed [from the army] at the same time as me”].

1870 **D114/194** Sorn Sot WRI, A48 [“A person who was working with me was arrested. His name was Noeng. He was sent over there [Toek Sap]. He was arrested for beating his cow to death while ploughing paddy field. They said that he needed to go there for his dental care. At that time he had toothache”].

1871 **D114/31** Moul Chhin WRI, A13, 22, 89-90 [“[In 1973] I served in Unit 336, Sector 37 [...] After the Khmer Rouge gained victory over Phnom Penh, my battalion merged with other battalions to create Regiment 386 [...] A89: Later the troops were demobilised and our unit was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals. Q: Why did they demobilise your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead”].

1872 **D114/31** Moul Chhin WRI, A116 [“Q: What was the reason for your imprisonment? A116: One time during my work at the production unit at Preaek Chak near Ream, I was homesick and missed my parents, so I secretly fled and walked across the forest for one full day to visit my parents at my birthplace, Ta Toat Village, near Prey Nob, about nine kilometres from my workplace. They came and asked for me several times at my parents’ house. Eventually, they put me in jail”]; **D114/40** Moul Chhin WRI, A39 [“They detained me because I made a little mistake, wanting to visit my parents. I did not commit any serious crime”]. *See also*

- D114/31** Moul Chhin WRI, A165 [“The question they often asked me was, ‘Why are you detained here?’ I replied without fear, ‘I visited my parents because I had not met them for a long time’”].
- 1873 **D114/109** Prum Sambath WRI, A139-144, 213-214. *See further* **D114/242** Prak Bunny WRI, A82-84 [“I heard from my chief that they were soldiers who were politically incorrect. My chief warned us that we would end up like the people who were chained if we were not careful. Q: Where were those convicted people sent? A83: At that time, those prisoners were taken to the detention office in Tuek Sab [...] A84: the biggest detention office was the prison office in Tuek Sab. It was their big prison”].
- 1874 **D54/102** Ek Ny WRI, A26 [explaining that some of the prisoners he saw working at Toek Sap were from his own Battalion 386].
- 1875 **D4.1.477** Hem Sambath WRI, EN 00275052-53 [“Intellectuals, engineers and government civil servants were taken to be executed at Tuek Sab. The Khmer Rouge told them that they had to move to a new village. [...] I saw people being transported there and the victims’ clothes were taken back. I did not see the executions myself”] *with further elaboration in* **D54/114** Hem Sambath WRI, A45-51 [stating that she personally witnessed “educated” neighbours – a family of around 5 “new people” - being taken away by Khmer Rouge soldiers on the pretext of being moved to a new cooperative. The Khmer Rouge soldiers informed her group chairperson who informed the witness that “the new people were taken to live in Teuk Sab.” The witness knew that the family had been executed because the Khmer Rouge soldiers taking them away told them that there was no need to take rice with them and she then saw the same trailer returning an hour later with the family’s clothes].
- 1876 **D54/89** Kuy Nen WRI, A9 [“if someone was arrested from the village cooperative of Babos, they would be taken to be killed at Tuek Sab”]; **D54/90** Kuy Nen WRI, A17 [“[Comrade Ri, chairwoman of the Babos Cooperative] said that people arrested from Babos Cooperative would be sent to the durian plantation at Tuek Sab”]. *See further* **D54/89** Kuy Nen WRI, A5 [“The period of intense killings began in early 1976, when the Khmer Rouge took civilians from the cooperatives and villages to be killed at Tuek Sab”].
- 1877 **D54/90** Kuy Nen WRI, A13, 15 [“Comrade Ri worked as the chairwoman of Babos Cooperative from 1975 until 1979. [...] A15: From what I knew, Comrade Ri reported to the regiment in Tuek Sab”].
- 1878 **D114/176** Chan Savoeun WRI, A10, 27 [“Q: You said that you heard from your father-in-law that the Khmer Rouge took people from Smach Deng, Ream and Chamkar Daung [coconut plantation] to be killed [at Toek Sap] too. Your father-in-law knew about this because he lived in Teuk Sab, which was near this location [...] After living there for one year, the Khmer Rouge regime sent him from Teuk Sab [...] Is this summary correct? A10: Yes, it is [...] A27: Hardworking people, lazy people, and traitors were taken to be killed”]; **D54/121** Lin Sarin WRI, A14 [Member of a children’s unit in Smach Deng village near Toek Sap: “I cannot tell you the number because they were far from me. We only heard the screams and the sounds of the blows. We did not know the number of victims or killers. [...] I did not know if they were male or female; I only knew that they were the residents in the commune. The reason I say this is that during those events, cooperative people disappeared. Therefore, my conclusion is that those who disappeared were taken to be killed there”]; **D114/242** Prak Bunny WRI, A98-99, 101-102 [Child worker at the Cheng Heng coconut plantation and in Kang Keng rice fields: “If anyone living in the vicinity of that area committed a mistake, they would be sent to that prison [...] A99: There were many people. For the people who lived in this district, whenever they did something wrong, they would be sent to be killed in Tuek Sab Prison. [...] A101: [Tuek Sab] prison was not only used to imprison civilian prisoners, but also soldiers. It was a common prison. [...] A102: it was a military base, so if the civilians did anything wrong, they would be sent there”].
- 1879 **D114/242** Prak Bunny WRI, A103 [“Q: What kinds of mistakes did people commit that led to them being sent to the prison [at Toek Sap]? A103: The most common mistakes were related to work. For instance, some people were lazy at work or stole things”]; **D114/156** Soeng Noch WRI, A136 [“Q: Why did they arrest them? What did they do wrong? A: They planted potatoes and picked coconut fruits just like me”]; **D114/194** Sorn Sot WRI, A39 [“Q: Did you ever hear of place called Teuk Sap? A: Yes, I did. It was place to detain prisoners. My group was detained over there. If anyone who was cultivating rice with me and committed mistakes, we would be detained there”]; **D114/176** Chan Savoeun WRI, A27 [“Hardworking people, lazy people, and traitors were taken to be killed”]. *See also* **D114/96** Cheng Laung WRI, A26 [“I heard that those people who had stolen vegetables to eat were arrested”].
- 1880 **D54/36** Brak Sokha WRI, A6-7 [“There were some 17 April people who were Khmer Krom and were placed in that mobile unit. After four or five months the Khmer Krom people were sent to Teuk Sap. The Khmer Krom people were not kept for long in that mobile unit. [...] A7: Khmer Krom people were placed in other units. I knew some of them who were in my unit. I can recall Thach Bin, Lam Sik and Lam Sanh (they were

siblings). I recall their names since they were in my squad and were subsequently sent to Teuk Sap after four or five months being with me. Whoever was sent to Teuk Sap never survived”].

1881 *See* paras 711-713.

1882 **D114/69** Kuy Sambath WRI, A9 [“This happened in April or May 1977. I remember that it happened during the dry season”].

1883 **D114/182** Huong Khan WRI, A4-5, 12-13, 18 [stationed with Khmer Rouge Regiment 85 near Teuk Sap for about 3-4 months before April 1975 to protect the “liberated area”]; **D114/104** Iem Phong WRI, A34, 44 [“During the fight for Phnom Penh, my forces and Division 1 were engaged in combat at Tuek Sab, Kampong Som”]; **D114/89** Seng Sin WRI, A21 [“Where were you on 17 April 1975? A21: I was at Teuk Sap battlefield”]; **D114/226** Kim Hav WRI, A68 [“The front battlefield was along a bridge such as Prey Nob, Ou Okhna Heng Canal at Tuek Sap”]; **D114/112** Oem Sokhan WRI, A13 [“Before 17 April 1975, when I was about 15, I worked as a messenger for Than, the Commander of Company 420, stationed at Teuk Sap and Au Kambot in Sector 35. Teuk Sab and Au Kambot were about two kilometres apart”]; **D114/194** Sorn Sot WRI, A10 [“The Khmer Rouge forces controlled this area. However, from Au Chamnar, Veal Renh to Kampong Som the Lon Nol soldiers controlled. I was sent to fight in Teuk Sab”]; **D114/68** Kuy Sambath WRI, A9 [“At that time, Au Kambot, about one kilometre east of this Teuk Sab Bridge was a first frontline between the Khmer Rouge soldiers and Lon Nol soldiers. That place was called the first frontline”]; **D114/282** Ek Ny WRI, A23 [“There were both soldiers and civilians in Kampong Som. According to my estimation, there were no fewer than 3,000 soldiers because I saw many of them and they were deployed from the oil refinery up to Ream; they were the defensive line to defend the city. The oil refinery was located between Stung Hav and Kampong Som. There were double defensive lines from the oil refinery to Kampong Som and up to Teuk Sab because they aimed to defend Kang Keng Airfield”].

1884 *See, e.g.,* **D114/282** Ek Ny WRI, A22 [“They began sending them on 18 (April 1975). At that time, the sector [37] soldiers entered Kampong Som without resistance from the Lon Nol forces because the Lon Nol forces had already laid down their weapons”]; **D114/68** Kuy Sambath WRI, A9 [“On 17 April 1975 when the Khmer Rouge soldiers captured Phnom Penh, the Khmer Rouge soldiers in Kampong Som also captured Krong Kampong Som. The Lon Nol soldiers were prepared to welcome the Khmer Rouge in Krong Kampong Som. At that time, Krong Kampong Som was surrounded by the Khmer Rouge. Then the Khmer Rouge soldiers arrived in Krong Kampong Som in many Jeeps”].

1885 **D114/3** Lak Saphan WRI, A3 [“I just saw Lon Nol soldiers retreating from Tuek Sab when the Khmer Rouge attacked Teuk Sap. The Lon Nol soldiers retreated to Kang Keng Airport”].

1886 **D114/68** Kuy Sambath WRI, A9 [“On 17 April 1975 when the Khmer Rouge soldiers captured Phnom Penh, the Khmer Rouge soldiers in Kampong Som also captured Krong Kampong Som. The Lon Nol soldiers were prepared to welcome the Khmer Rouge in Krong Kampong Som. At that time, Krong Kampong Som was surrounded by the Khmer Rouge. Then the Khmer Rouge soldiers arrived in Krong Kampong Som in many Jeeps. The senior ranking officials in Lon Nol military and naval forces escaped to Thailand. The Khmer Rouge in Krong Kampong Som told us not to escape; they would give former Lon Nol soldiers back their positions. At that time, I was a private. Teuk Sab Bridge was destroyed by the Khmer Rouge soldiers before 17 April 1975, but I do not remember the time when half of the bridge was destroyed. In Krong Kampong Som, my father-in-law told me to take off the Lon Nol uniform. Then, on the same day, the Khmer Rouge announced to people to leave Krong Kampong Som because America would drop bombs on the city in the next three days”].

1887 **D54/89** Kuy Nen WRI, A4-5 [“the Khmer Rouge military declared that former Lon Nol armed forces – army, navy, and air force – were required to return to Kang Keng Airport to resume their duties [...] A5: At that time I heard that former Lon Nol soldiers lied to the Khmer Rouge that they were ranking officers in the Lon Nol regime. The real ranking officials were kept at Kang Keng Airport and then they were tied up and take for execution at Tuek Sab. Thousands of Lon Nol army soldiers were killed there. I heard that some of the former Lon Nol soldiers, who realised the imminent threat of death, told the Khmer Rouge that there were not Lon Nol soldiers, and as a result some of them survived [...] A28: After the Khmer Rouge controlled the country in April 1975, the Khmer Rouge collected all former Lon Nol soldiers and placed them at Kang Keng airport. Later those Lon Nol soldiers were taken away”]; **D114/2** Lak Saphan WRI, A10 [“Even the Lon Nol soldiers who surrendered when the Khmer Rouge regime came to power were taken to be killed at these two durian plantations”]. *See also* **D114/282** Ek Ny WRI, A29 [“Q: We would like to know where those 3,000 Lon Nol soldiers went. A29: I did not know. Those forces were sent to the rear where the sector committee was in charge”]; **D114/68** Kuy Sambath WRI, A9 [“The Khmer Rouge in Krong Kampong Som told us not to

escape; they would give former Lon Nol soldiers back their positions. [...] In Krong Kampong Som, my father-in-law told me to take off the Lon Nol uniform”].

1888 **D54/89** Kuy Nen WRI, A5, 28, 30, 32 [“After 1979, I arrived at the Tuek Sab site, where I saw human remains with uniforms and military boots belonging to the Lon Nol soldiers at the Tuek Sab execution site [...] A28: After 1979, I arrived at Tuek Sab and found the used military uniforms of Lon Nol soldiers, their shoes, and their remains in the pits at Tuek Sab [...] A30: we saw dead bodies, soldiers’ uniforms, shoes, human remains [...] A32: The Khmer Rouge soldiers’ uniform was thin, black or green cloth of a Tetarong type, where that of the Lon Nol soldiers contained many pockets and some were in the colour of a paramilitary uniform. The Khmer Rouge soldiers did not use combat helmets”]. *See also* **D114/177** Meng Soek WRI, A25 [“Q: You said that you saw clothes. What were the clothes like? A25: They were soldiers’ clothes, including black ones”].

1889 *See paras 428, 485.*

1890 **D54/123** Lak Saphan WRI, A8-9, 12 [“To my knowledge, those arrested at sea were Cambodians, Thai, and Vietnamese, and they were taken to Tuek Sab where they were eventually executed. None of them returned”]; **D114/176** Chan Savoeun WRI, A7 [stating that he heard from his father-in-law, Meng Soek (Meng Set), that Thai and other foreign fisherman had been arrested at sea and taken to be killed at the Toek Sap site]; **D114/177** Meng Soek WRI, A15-16 [stating that he heard from others that groups of Thai fishermen were taken to Toek Sap for execution].

1891 **D114/2** Lak Saphan WRI, A7, 13-15, 18 [“One evening during the Khmer Rouge regime, while I was walking back to the village from the dam construction site at Tuek Sab, I saw soldiers walking a group of people toward the Tuek Sab durian plantation along National Road 4. While the soldiers were walking the people, I heard them saying that these people were Thai fishermen who had been captured at sea. At that time, I did not know where they were taking those people. However, after 1979, when I arrived at Tuek Sab durian plantation, I saw some bones and clothes there, which has led me to believe that all those Thai people were taken to be finished off at the Tuek Sab durian plantation. [...] A13: [This happened] [d]uring the rainy season in 1975. A14: I saw them from a distance of about one kilometre west of Spean Tuek Sab Bridge, at about 6.00 p.m. [...] A15: Two young soldiers with rifles were walking four or five prisoners [...] A18: each of them had their hands tied behind their back”].

1892 **D114/2** Lak Saphan WRI, A10 [“All the base people there knew that there were two killing sites” Oeng Krapum Phkar’s durian plantation and the Tuek Sab durian plantation”].

1893 **D114/2** Lak Saphan WRI, A20 [“I heard of all these events from cooks working in the communal dining hall. All those cooks had children who were Khmer Rouge soldiers in the Ream and Tuek Sab areas, and their children told them about all these events. Those cooks said that captured prisoners who came through Kampong Som Port were taken to be killed at Oeng Krapum Phkar’s durian plantation. Those who had been captured and came through Ream were taken to be killed at Tuek Sab durian plantation”]; **D54/123** Lak Saphan WRI, A8-9, 12 [“To my knowledge, those arrested at sea were Cambodians, Thai, and Vietnamese, and they were taken to Tuek Sab where they were eventually executed. None of them returned. [...] A9: This kind of information could not be hidden. People spread word from one to another. I can confirm that killings had taken place there because after I returned to my village, I visited that place and saw remains and skulls there. [...] A12: Based on my observation, many Thai fishermen were killed at Tuek Sab. They dug pits under the durian trees. If I am not mistaken, those people had been killed by being struck on their heads with hoes, because I saw remains of hoes scattered around the place”].

1894 **D114/156** Soeng Noch WRI, A144 [“[In the 1970s *correction from audio file*], I saw two foreigners. I do not know whether they were Australians or American nationals. They were being walked along National Road No. 4 to Tuek Sap. They did not wear shirts, but they wore military pants”].

1895 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13434 [Ngvieng Din Y, “Spy of Vietnamese”, age 16]. *See* **D114/145.2.11** S-21 Biography of Kvieng Din Y (VN125), EN 01191483 [“Kvieng Din Y, 16 years old”], EN 01191493 [“Kvieng Din Y [...] Age: 16 years old, male, Vietnamese national”].

1896 **D114/156** Soeng Noch WRI, A131-132, 135-136 [“As I said earlier, my friends were taken to be killed [at Toek Sap]. Q: Who took them to be killed at Tuek Sap? A132: [...] They sent a letter to the cooperative chief. Then, the cooperative chief told the members, ‘Your parents are waiting for you at the rear base.’ [...] A135: They were about 15 or 16 years old. They were the same age as me. Q: Why did they arrest them? What did they do wrong? A136: They planted potatoes and picked coconut fruits just like me. They told them that they had sent their parents to the rear base, so they had to go with them”]. *See also* **D114/114** Svay Saman WRI, A46-48 [“I also observed that a group of children were staying near the ammunition

warehouses. They were there to study and grow potatoes. Chuob was the supervisor of the warehouses as well as the children Q: What was the age range of the children? A47: From ten to twelve years. Q: How many children did you see? A48: More than 30”].

1897 **D114/66** Chet Bunna WRI, A18 [“Q: What kind of stories did you hear from your friend, Thou? A: Thou told me that when the Vietnamese troops arrived, there were about 20 prisoners only still alive at the Prison. Thou told me that during the time he was being detained in that place, there were about 100 prisoners being detained with him”].

1898 **D114/208** Long Phansy WRI, A42 [“I saw there were 12 prisoners there, but [one] among the 12 was able to refashion himself well again, and they let him work outside the jail”]. *For example*, **D114/208** Long Phansy WRI, A30-32, 35, 40 [Former Chief of Battalion 612, Division 164: “The problem for which I was removed from the unit emerged from the finding of their examination that I was CIA-KGB. After they took me to unit 612, they kept me under surveillance and examination; that is, when I went down to work, when work was handed over to me, their examination that in my unit there were broken metal bars and broken cask gaskets. They accused me of wrecking [...] A31: The ones who arrested me were regiment, Moeurn and Lan [...] A32: At that time, those at the meeting had only just sat down and were opening their books, when the military simply arrested me. I had not brought my bodyguard with me [...] they pointed their guns at me and had me raise my hands, then tied both. After that, they took me from Stung Hav to be detained at Stung Hav jail for interrogation [...] A35: They handcuffed my hands behind my back and chained both my feet. In the morning, they started to interrogate me. First, they said, “Whose CIA-KGB are you? What is your rank? I answered, ‘I do not know because I really do not know.’ “Later, they began to torture me using [...] whips to beat me. They beat me non-stop, until the whips piled up in the interrogation place. They beat me to get me to reply with my rank and which group I was. I fainted twice in the morning, and I fainted once later during the day. The types of torture were: first, beating with whips; second, whipping with stingray's tail; third, electric shock by wire (called *rakanau* using a wire emitting electricity to apply the shock to a human being). They cut the stingray's tail off and dried it so that it shrunk like a whip [...] A40: Both jails were within Division 164, because the Tuek Sab jail was for a reduced punishment jail. At the Toek Sap jail, they reduced the punishment”].

1899 Ek Ny saw 20 to 30 prisoners working: **D54/102** Ek Ny WRI, A26 [“I saw only 20 to 30 prisoners while there were carrying timbers”]. Pak Sok testified to seeing around 50-60 working prisoners: **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 14.00.50-14.14.44 [the number of people who were at Toek Sap was about 50 or 60 people. [...] I would see those who were detained at Toek Sap once in a while”].

1900 **D114/139** Nguon Lay WRI, A92 [Q: There were both soldiers and workers at the sawmill. How many workers did you work with? A92: First, there were 20 people. Later there were about 50 to 60 people”]. *See also* **D114/39** Moul Chhin WRI, EN 010779211 [“The witness explained that he was detained in Tuek Sab for only one night, together with [an]other four to ten prisoners”].

1901 **D54/89** Kuy Nen WRI, A5 [“The period of intense killings began in early 1976, when the Khmer Rouge took civilians from the cooperatives and villages to be killed at Tuek Sab. Due to the great number of corpses buried there the trees and crops died”].

1902 **D114/242** Prak Bunny WRI, A99-100 [“Q: Do you know how many people were sent to be imprisoned in Tuek Sab Prison? A99: There were many people. For the people who lived in this district, whenever they did something wrong, they would be sent to be killed in Tuek Sab Prison. Q: Can you give us an estimation? A100: Each month there were about 10 people who did something wrong and were taken there”].

1903 *See* **VIII.C.4. Toek Sap Security Centre – Crimes - Murder, Wilful Killing, Extermination, and Enforced Disappearances**.

1904 **D114/66** Chet Bunna WRI, A17, 24 [“I knew clearly Teuk Sap was a prison and the killing place because I saw them killing people there [...] During that time, when I was assigned to work near that river, I saw human dead bodies floating in the river near the Teuk Sap Prison [...] A24: We knew that those bodies were of the prisoners. The prisoners were weak, exhausted and emaciated. I did not see those corpses were tied up. I want to tell you frankly that the prisoners at that time were weak and emaciated, so when they [guards] took them to be killed, the guards did not need to tie them up. We did not see the corpses floating in the River every day, but we saw them once in several days”]

1905 **D114/208** Long Phansy WRI, A37, 43 [“Once they sent me to Tuek Sab Prison, I slept comfortably, but they still shackled and tortured me with electric whips [...] A43: [...] most of the Toek Sap guards, whom I asked to remove the cuffs, fled together to the Thai border. I asked them to remove the cuffs because the situation was chaotic”]; **D114/31** Moul Chhin WRI, A167 [“at Tuek Sab they chained me, but only for a short period

- since they knew who I was”]; **D114/40** Moul Chhin WRI, A2 [“As I mentioned, at first I was detained in Tuek Sab Prison for three days. At that time they shackled my ankle to a pillar”]. *See also* **D114/208** Long Phansy WRI, A56 [“I did not see prisoners die at either jail, but I saw 2 prisoners disappear from jail because they had serious gangrene due to long cuffing, so that they could not be kept”].
- 1906 **D114/40** Moul Chhin WRI, A2 [“Other prisoners considered as ‘serious crime prisoners’ were tied with their hands behind their backs and with one of their ankles shackled to a pillar”].
- 1907 **D114/69** Kuy Sambath WRI, A7 [“Besides the skulls and skeletons I have mentioned, I saw leg shackles, guns, and rifles”]; **D114/105** Koch Tuy WRI, A130-132 [“My wife said that there was a prison [at Toek Sap] [...] A131: Her uncle lived there and told her about this. In 1986 or 1987, close to her wedding date, she went to live with her uncle, who told her about this because her uncle saw chains, shackles and blood stains there. [...] A132: When the Vietnamese entered the country, he moved to his home village near Teuk Sab. So he could see the prison there”].
- 1908 **D54/103** Ek Ny WRI, A3 [“After the arrest of the leadership of Sector 37 and Bang Norng Chhan [...] soldiers under Bang Norng Chhan were no longer trusted. All soldiers of Bang Norng Chhan were disarmed, and we were all sent to a production unit which was for light-offence prisoners [...] I was assigned to farm paddies [at Tuek Sap]”]; **D54/102** Ek Ny WRI, A24 [“At that time when I stayed in Ta Thoeung village, I was sent to work on the west bank of the river [Teuk Sap]. The prisoners stayed on the east bank of the river”].
- 1909 **D54/102** Ek Ny WRI, A23, 25 [“Teuk Sap was a place where the prisoners were severely tortured. It was a prison. It was not a security center. Some prisoners were pierced through the ear to make a hole so that they [soldiers] could insert a rope through the hole to tie them together in group. They inserted a rope through the ears of 5 to 10 prisoners together to prevent them from escaping [...] A25: It was a barbaric place because the prisoners’ ears had been pierced”].
- 1910 **D114/39** Moul Chhin WRI, A166 [“The food ration was the same for everyone in the prison”].
- 1911 **D114/6** Yin Teng WRI, A84 [Wife of a Division 164 cadre detained in Toek Sap: When he was released “[h]e looked pale and emaciated, like there was no blood in his body”]; **D114/66** Chet Bunna WRI, A24 [“Q: When you said that you saw the dead bodies floating in the Teuk Sap River, can you describe to us how the condition of those bodies was? A24: We knew that those bodies were of the prisoners. The prisoners were weak, exhausted and emaciated. I did not see those corpses were tied up. I want to tell you frankly that the prisoners at that time were weak and emaciated”]; **D114/40** Moul Chhin WRI, A8 [“I never saw any of those prisoners again. In my opinion, there was little chance that the prisoners who were detained there could have survived, that is they may have been killed or died from having insufficient food”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978579 [“When they sent me to work in that area, I saw my former fellow workers who were skinny, digging earth with their arms chained”].
- 1912 **D54/103** Ek Ny WRI, A5 [“Those guards no longer addressed them as *Female Cadres*. They were addressed as ‘*the Contemptible*’].
- 1913 **D54/103** Ek Ny WRI, A6 [“if a woman was addressed as ‘*the Contemptible*’, that woman was considered as an enemy and had no right at all”].
- 1914 *See* **VIII.C.4. Toek Sap Security Centre – Crimes - Torture.**
- 1915 **D54/103** Ek Ny WRI, A5 [stating that he saw Toek Sap prisoners with “bruises on their face and lumps on their limbs” that were consistent with torture].
- 1916 **D114/208** Long Phansy WRI, A57 [“There are scars on both of my legs”].
- 1917 **D54/103** Ek Ny WRI, A5 [“When I saw [the women] [...] they looked frightened and terrified”].
- 1918 **D114/208** Long Phansy WRI, A47-48 [“I only had one phrase to put them in their place: ‘So when will you take me to be killed?’ They replied, ‘Do you really want to die?’ This was only a lightening of my punishment there at Tuek Sab [...] A48: I didn’t care about anything anymore; I just wanted them to take me to be killed because I was tired of my life, and it was too terribly difficult”].
- 1919 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592 & 14786 [Daing Yaing Thann (Vietnamese); sent to Toek Sap to do farming – see **D114/145.2.15** S-21 Biography of Daing Yaing Thann (VN132), EN 01396238 [“Then, he was sent to Toek Sap to do farming”]], 13431 [Chim Yang Keu (Vietnamese) – detained at Toek Sap “carrying fertilizer to apply on durian and rambutan plants”. *See* **D114/145.2.11** S-21 Biography of Chim Yaing Koeu (VN122), EN 01191487 [“he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants”]], 13433 [Le Yang Phoeuk alias Chim Yang Koeng (Vietnamese) –detained at Toek Sap “doing tasks such as: carrying fertilizer to apply on durian and rambutan plants”. *See* **D114/145.2.11** S-21 Biography of Chim Yaing Koeng alias Le Yaing Phoeuk (VN

124), EN 01191492 [“he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants”], 13434 [Ngvieng Din Y (Vietnamese) – detained at Toek Sap “doing tasks such as: clearing grass in durian and rambutan plantation”. See **D114/145.2.11** S-21 Biography of Kvieng Din Y (VN125), EN 01191494 [“he was transferred to a fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantation”], 13436 [Ngvieng Thithoeung (Vietnamese) – sent to Toek Sap “to look after a durian plantation”. See **D114/145.2.12** S-21 Biography of Kvieng Thy Thoeung (VN126), EN 01195308 [“After the arrest, *Angkar* sent her to look after a durian plantation at a fresh water area”], 13437 [Ngvieng Hour Lang (Vietnamese) – sent to Toek Sap to clear grass in the durian plantations. See **D114/145.2.12** S-21 Biography of Kvieng Hiv Lang (VN127), EN 01195312 [“He was arrested on 10 December 1975 in Cambodian sea territory, in the vicinity of Kaoh Thas Island [...] After the arrest, *Angkar* sent them to a fresh water area to clear grass in a durian plantation”], 14782 [Troeng Yaing Khve (Vietnamese) – detained at Toek Sap “clearing grass in durian and rambutan plantations”. See **D114/145.2.11** S-21 Biography of Troeng Yaing Kve (VN121), EN 01191485 [“After the arrest, *Angkar* sent him to the fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantations”], 14783 [Choeng Thann Hoeun (Vietnamese) – arrested at sea on 12 December 1975, sent to an island for 6 days and was then detained in Toek Sap until his transfer to S-21 on 6 May 1975. See **D114/145.2.12** S-21 Biography of Choeng Thann Hoeung (VN128), EN 01195316 [“He was arrested on 12 December [1975]. After the arrest, he was sent to an island [...] for six days. Then, he was sent to a fresh water area to look after the durian and rambutan plantations. He was sent here on 6 May 1976”], 14785 [Pham Yaing Thann (Vietnamese) – detained in Toek Sap to take care of durian tree plantation. See **D114/145.2.14** S-21 Biography of Pham Yaing Phann, EN 01368091-92 [“Note: This person was arrested on 12 November 1975 and *Angkar* sent him to Tuek Sab to do some work such as taking care of durians tree plantation. On 7 May 1976, he was sent to S-21”].

- 1920 **D114/139** Nguon Lay WRI, A40 [“After that, they transferred me to work in a sawmill. I saw[ed] wood at the fresh water area”]; **D114/77** Svay Sameth WRI, A16 [“I can tell you that, at the Thai refugee camp, I met a person called Nguon Lay, whom I told you had been at Teuk Sab. He worked at a sawmill at Teuk Sab”]; **D114/40** Moul Chhin WRI, A2 [“they had me return to Tuek Sab, where I lived in the same house I had stayed previously. That house was west of the saw mill. Their intention was to assign me to carry wood to the sawmill, but I did not, because the Vietnamese soldiers arrived”].
- 1921 **D114/175** Neak Sitha WRI, A20 [“[Toek Sap] was a place where people dug earth, farmed rice, transplanted rice seedlings, and harvested rice without having a break”].
- 1922 **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978579 [“When they sent me to work in that area, I saw my former fellow workers who were skinny, digging earth with their arms chained”].
- 1923 **D54/102** Ek Ny WRI, A23 [“They used the prisoners [at Toek Sap] to carry timbers, build house and do different kinds of works”].
- 1924 **D114/208** Long Phansy WRI, A46 [“If the Vietnamese had not come in, I think [...] the only way for my life would have been death because when there was nothing else to do, they had me plant vegetables, cabbage and morning glory. My role was to taste the faeces fertilizer”].
- 1925 **D114/66** Chet Bunna WRI, A19 [“During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank”]; **D54/102** Ek Ny WRI, A24 [“I was sent to work on the west bank of the river [Teuk Sap]”].
- 1926 **D54/102** Ek Ny WRI, A24 [“Sometimes when we needed manpower to help us with our work, we asked those prisoners to help us”]. See also **D64.1.29** FBIS, *Army Units Aid Regional Planting Efforts*, 20 Aug 1977 [“during the current rainy season, after helping our cooperative peasants plant the early rice crop, our Revolutionary Army in Srok Koah Andet continued to work hard in planting the rainy season rice [...] at the Toek Sap [...] worksite”].
- 1927 **D114/66** Chet Bunna WRI, A27 [“During that time, they sometimes took the prisoners, whose wrists were chained around, to work in the place near where I worked. They did that in order to show and scare us so that we would not want to try to make any mistake”].
- 1928 **D54/102** Ek Ny WRI, A26 [“Some prisoners, whom I had known since the time we were together in the same unit in the past, told me that they had to work very hard in order to survive”]. See also **D114/175** Neak Sitha WRI, A13 [“Q: Can you tell us what you knew about Teuk Sab? A: It was a worksite. It was a very hard working place”].

- 1929 **D114/175** Neak Sitha WRI, A14, 19 ["[Toek Sap] was a place where people worked without any break [...] A19: A person from there told me that the working conditions there were very tough; there was no break time"].
- 1930 **D114/66** Chet Bunna WRI, A27 ["During that time, they sometimes took the prisoners, whose wrists were chained around, to work in the place near where I worked. They did that in order to show and scare us so that we would not want to try to make any mistake"]; **D114/146** Uy Nhik WRI, A58 ["I heard that prisoners were detained there and those prisoners were chained when they were taken to work outside"]; **D54/24.1** Pak Sok DC-Cam Statement, EN 00978579 ["When they sent me to work in that area, I saw my former fellow workers who were skinny, digging earth with their arms chained"].
- 1931 **D54/103** Ek Ny WRI, A5 ["During that time, I heard the soldiers guarding them, threateningly shouting at them to work faster"].
- 1932 **D114/208** Long Phansy WRI, A46 ["My role was to taste the faeces fertilizer. If the cabbage died or was barren, they tortured me more, in addition to the daily torture"].
- 1933 **D1.3.12.3** Telegram from Meas Mut to Brother 89 (Son Sen), 22 Feb 1976 ["Enemy situations: according to the responses of the one arrested east of Toek Sap, the seven persons arrested at Sangvav belonged to his group" (*emphasis added*)]; **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Division and Independent Regiments*, 9 Oct 1976, EN 00940340 [Comrade Dim (Meas Muth present) "We seized a 13 year-old girl in the vicinity of the fresh water (Toek Sap) area. She confessed that she was among a group of three, who are probably staying at Ou Phos now" (*emphasis added*)].
- 1934 **D114/40** Moul Chhin WRI, A2, 9 ["they were interrogating me [...] A9: That house was abandoned, and they took people to be detained there. They interrogated prisoners there, as they did to me"]; **D114/115** Svay Saman WRI, A3 ["My brother-in-law Nhen [...] was an interrogator in the [Toek Sap] prison"].
- 1935 **D54/102** Ek Ny WRI, A23.
- 1936 **D114/208** Long Phansy WRI, A37, 46-47, 50 ["From the beginning of January of February 1978. I had been in Tuek Sab for maybe two or three months when the Vietnamese arrived. Once they sent me to Tuek Sab Prison, I slept comfortably, but they still shackled and tortured me with electric whips [...] A46: If the Vietnamese had not come in, I think [...] the only way for my life would have been death because when there was nothing else to do, they had me plant vegetables, cabbage and morning glory. My role was to taste the faeces fertilizer. If the cabbage died or was barren, they tortured me more, in addition to the daily torture. Q: Why did they continue to torture you at that phase? A47: I did not understand because I had no right to ask them. I only had one phrase to put them in their place: 'So when will you take me to be killed?' They replied, 'Do you really want to die?' This was only a lightening of my punishment there at Tuek Sab [...] A50: [...] I was constantly tortured"].
- 1937 **D114/208** Long Phansy WRI, A37 ["Once they sent me to Tuek Sab Prison, I slept comfortably, but they still shackled and tortured me with electric whips"].
- 1938 **D114/208** Long Phansy WRI, A46 ["My role was to taste the faeces fertilizer. If the cabbage died or was barren, they tortured me more, in addition to the daily torture"].
- 1939 **D114/40** Moul Chhin WRI, A9 ["Some prisoners were beaten during interrogation"].
- 1940 **D114/242** Prak Bunny WRI, A93-94 ["After the coup and the fall of the Khmer Rouge, I went [to Toek Sap] [...] A94: I saw things like hammers, fingernail-removing tools, clutches, sticks, hoes and so on. There was a lot of evidence there"].
- 1941 **D114/156** Soeng Noch WRI, A147 ["in 1976, I saw a man being released from that place. He had scars left from torture on both of his thighs"].
- 1942 **D54/103** Ek Ny WRI, A5 [stating that he saw Toek Sap prisoners with "bruises on their face and lumps on their limbs" that were consistent with torture].
- 1943 **D114/208** Long Phansy WRI, A47-48, ["I did not understand [why they continued to torture] because I had no right to ask them. I only had one phrase to put them in their place: 'So when will you take me to be killed?' They replied, 'Do you really want to die?' This was only a lightening of my punishment there at Tuek Sab. [...] A48: I didn't care about anything anymore. I just wanted them to take me to be killed because I was tired of my life, and it was too terribly difficult. I do not remember because it was a long time ago; moreover, I have had a head injury. Therefore, each time when I think about it, it causes me severe headaches"].
- 1944 **D114/208** Long Phansy WRI, A46, 48.

- 1945 **D114/208** Long Phansy WRI, A47 ["I did not understand [why they continued to torture] because I had no right to ask them. I only had one phrase to put them in their place: 'So when will you take me to be killed?' They replied, 'Do you really want to die?' This was only a lightening of my punishment there at Tuek Sab"].
- 1946 **D54/87** Prum Sarat WRI, A160 ["I do not know. During that regime, [the] upper echelon said it was a regime of secrecy. When they arrested or sent someone for re-education, they would arrest them secretly, and we would not know about it. I only know about one case, the case of San, one of my colleagues, who disappeared since 1977"]; **D234/2.1.140** Thuch Sithan, T. 22 Nov 2016, 14.31.45-14.34.02 ["Normally, it was difficult in the regime. Secrecy was the principle. No one dared to discuss and disclose any information"]; **D4.1.195** CPK Statement to The Communist Worker's Party of Denmark, Jul 1978, EN 00001178 ["Q: Why is illegal work still the fundamental or basic work? A: In this period, after liberation, it is *secret* work that is fundamental. We no longer use the terms 'legal' and 'illegal'; we use the terms 'secret' and 'open'. Secret work is fundamental in all that we do. For example, the elections of comrades to leading work are secret. The places where our leaders live are secret. We keep meeting times and places secret, and so on. On the one hand, this is a matter of general principle, and on the other, it is way to defend ourselves from the danger of enemy infiltration. As long as there is class struggle or imperialism, secret work will remain fundamental. Only through secrecy can we be masters of the situation and win victory over the enemy who cannot find out who is who. This also applies to foreign affairs. For example, the Soviet Union asked to come to Phnom Penh at liberation. They were preparing to send 200 men to the Embassy. We said we could not possibly receive them and they were furious. We base everything on secrecy. This is in the interests of the working classes"]
- 1947 **D54/98** Heang Ret WRI, A53 ["Q: Were you afraid when people in your division disappeared? A53: Yes, I was, but I did not dare to ask about that. In general, for ordinary soldiers, when they disappeared, they might have been sent to work in another place. However, we did not know about the upper echelon cadres who disappeared. The reason why we did not dare ask about the disappearances was that we were afraid of being accused of being involved with and having sentiments for those who disappeared, and we might be criticised during the criticism and self-criticism meetings"].
- 1948 **D114/116** Svay Saman WRI, A44-45 ["Many people from various battalions, including my older cousin, disappeared; we were afraid of losing our lives. Q: Was there a court system that allowed the people to file a complaint about such disappearances? A45: No, there wasn't"]. *See also* **VIII.C.2. Arrests and Detention in Division 164 Security Centres – Lack of Due Process.**
- 1949 **D54/102** Ek Ny WRI, A27 ["I knew a former prisoner called Sok Bigmouth. [...] I met him once in 1979 after he had been released from Teuk Sap and rearmed to fight the Vietnamese troops"]. *See also* **D114/6** Yin Teng WRI, A11, 116, 124 [Wife of Division 164 soldier stating that her husband had been imprisoned in Tuek Sab twice. He was released, sent back to his military unit and transferred to the East to fight].
- 1950 *See, e.g.,* **D114/66** Chet Bunna WRI, A17-18 ["We knew that Teuk Sap was a prison from a person named Thou who was among the three soldiers arrested from my unit earlier and sent to that Teuk Sap place. [...] A18: Thou told me that when the Vietnamese troops arrived, there were about 20 prisoners only still alive at the Prison"]
- 1951 *See* **VIII.C.4. Toek Sap Security Centre – Location, Site Description and Operation – Period of Operation.**
- 1952 **D114/66** Chet Bunna WRI, A17 ["We knew that Teuk Sap was a prison from a person named Thou who was among the three soldiers arrested from my unit earlier and sent to that Teuk Sap place. Among those three soldiers, two of whom have disappeared forever, and only Thou has survived"]; **D114/86** Chet Bunna WRI, A14 ["As I have told you, they took away three people from my unit. After the collapse of the Khmer Rouge regime, I met only one of them who made it alive. Had the Khmer Rouge regime not collapsed, he would not have survived"]; **D54/98** Heang Ret WRI, A140 ["I know one person who was sent to Tuek Sab and is still alive"]; **D114/156** Soeng Noch WRI, A147 ["in 1976, I saw a man being released from that place. He had scars left from torture on both of his thighs"].
- 1953 **D54/102** Ek Ny WRI, A23 ["Teuk Sap was [...] also the execution site"]; **D114/66** Chet Bunna WRI, A11 ["Based on what I knew, for the soldier of the Division, they were taken to be killed in a place near Teuk Sap Prison"]; **D114/96** Cheng Laung WRI, A29-30 ["I heard that people were taken to be killed, and buried in Tuek Sab [...] A30: I remember that those people who were arrested and taken from other places were sent to Tuek Sab. Some people said that the arrested people were also taken from the islands"]; **D114/156** Soeng Noch WRI, A128, 131 [Worker in a coconut plantation at Kang Keng: "[Toek Sap] is close to my current home. It was a place where they killed people [...] A131: my friends were taken to be killed there"].

- 1954 **D114/2** Lak Saphan WRI, A10 ["All the base people there knew that there were two killing sites: Oeng Krapum Phkar's durian plantation and the Tuek Sab durian plantation"]; **D54/121** Lin Sarin WRI, A4, 22 [former member of a children's unit witnessed killings at Toek Sap in an area he described as "a durian and rambutan orchard" He said that seeing the murders at the site "confirmed what I had heard, that this site was for killing. We realised immediately that the rumours were true"]; **D114/177** Meng Soek WRI, A9 ["They took the people to Teuk Sab and some were killed there. Others were taken to be killed in the black-pepper orchard"]; **D54/89** Kuy Nen WRI, A5 ["The execution site was located in the durian and pepper plantations, which covered an area of around thirty hectares"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 ["Another killing site was at Toek Sap in Prey Nup district"].
- 1955 **D114/3** Lak Saphan WRI, A4 ["During that era, everybody knew that if the Khmer Rouge arrested people and took them to Tuek Sab, that was the end of them"].
- 1956 **D54/98** Heang Ret WRI, A51-53 ["In Division 164, some persons also disappeared such as the deputy commanders and so on, but I do not know where they took them. [...] A52: In that regime, we were afraid of being accused of being involved with those disappeared people. That was why we did not ask about that. We were told that it was not necessary for us to want to know what we had no need to know. Q: Were you afraid when people in your division disappeared? A53: Yes, I was, but I did not dare to ask about that"].
- 1957 **D114/242** Prak Bunny WRI, A86, 98 ["I just knew that those prisoners who were sent [to Tuek Sab Prison] never returned. I asked my colleagues who saw them and they said those prisoners had already been sent to Tuek Sab Prison [...] A98: If anyone living in the vicinity of that area committed a mistake, they would be sent to that prison. After being sent to be imprisoned there, they would never return. They all were taken to be executed"]; **D114/66** Chet Bunna WRI, A17-18 ["We knew that Teuk Sap was a prison from a person named Thou who was among the three soldiers arrested from my unit earlier and sent to that Teuk Sap place. Among those three soldiers, two of whom have disappeared forever, and only Thou has survived [...] A18: When I asked Thou what had happened to the other two soldiers, Doeun and Roeun who had been arrested along with him from my unit, Thou told me that those two men had been taken out from the Teuk Sap Prison and disappeared forever"]; **D114/86** Chet Bunna WRI, A14 ["If someone committed a mistake, he would be taken to another place. I did not know where the place was; it could have been Tuek Sab. Rarely did those people who were taken away return"]; **D114/156** Soeng Noch WRI, A147 [Q: Did anyone turn up again after being sent to Tuek Sap? A147: No, no one"]; **D54/36** Prak Sokha WRI, A7-8 ["Whoever was sent to Teuk Sap never survived [...] A8: After I fled to Vietnam in 1979 I met Soeun who was a former member of unit 310. He told me that everyone that was sent to Teuk Sap was killed including his elder brother"]; **D54/123** Lak Saphan WRI, A8-9, 12 ["To my knowledge, those arrested at sea were Cambodians, Thai, and Vietnamese, and they were taken to Tuek Sab where they were eventually executed. None of them returned"]; **D54/90** Kuy Nen WRI, A44 ["Q: Did you ever see those arrested by the Khmer Rouge return? A44: No one returned. Only their wives, their widows, remained"]. See also **D54/103** Ek Ny WRI, A22 ["Q: Were there any soldiers with no-good elements and former Unit 386 soldiers who had been refashioned, sent back to their respective units before 1979? A22: To my knowledge, there were not any"]; **D54/87** Prum Sarat WRI, A119 [(Battalion 44, Regiment 140) "Q: Usually, when the unit sent those people for re-education or tempering, did they ever return to their original unit? A119: No one ever returned -- they disappeared."]; **D54/78.1** Nob Hal DC-Cam Statement, EN 00968415-16, KH 00926640 ["Q: It was like that someone who went to study would disappear? A: Yes, they disappeared. They were not seen come back"]. See also **D54/122** Lak Saphan WRI, A11-12 [(Civilian in Ream) "I observed that people disappeared and never returned"].
- 1958 **D114/40** Moul Chhin WRI, A8.
- 1959 **D114/32** Meas Saran WRI, A74-76 [Division 164 medic, wife of Division 164 soldier: "I heard a rumour that they took [my husband] to Tuek Sab in Kampong Som [...] A75: I never met him again [...] A76: I believed [he was dead] because I heard from other people that he was dead"]; **D54/103** Ek Ny WRI, A3 ["There were approximately twenty unmarried women working closely with Bang Norng Chhan, as his cooks, messengers and assistants. After the arrest of Bang Norng Chhan, those women were taken to Tuek Sap prison [...] After the victory in 1979, I met parents of one of the twenty women, called Cham [...] they said that Cham never returned home [...] During that time, I heard that those twenty women were arrested to Tuek Sap; they were accused of being Chhan lovers"].
- 1960 **D54/89** Kuy Nen WRI, A4-5 [Describing Lon Nol soldiers being taken to Toek Sap for execution], 19 ["I heard that the people who were arrested and taken to the Tuek Sab site were killed immediately"]; **D114/96** Cheng Laung WRI, A29 ["I heard that people were taken to be killed and buried in Tuek Sab"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 ["Another killing site was at Toek Sap in Prey Nup district"];

- D114/2** Lak Saphan WRI, A10 ["All the base people there knew that there were two killing sites: Oeng Krapum Phkar's durian plantation and the Tuek Sab durian plantation"]; **D54/121** Lin Sarin WRI, A1 ["What I witnessed was people being pulled off lorries and struck on the base of their necks with clubs until they died"]. See also **D114/16** Sok Vanna WRI, A17 ["At that time, both the people and the military were arrested and imprisoned, and others were killed straightaway"].
- 1961 **D114/66** Chet Bunna WRI, A17, 19 ["I had been removed from the unit in 1977 and forced to work in the rice field. During that time, when I was assigned to work near that river [...] A19: After being removed from the unit [Battalion 386], I was classified as a not-good-element. [...] During their detention in Teuk Sap, those prisoners were put to work on the east bank of the river while we, in these three units, were put to work on the west bank"].
- 1962 **D114/66** Chet Bunna WRI, A17, 24 ["I knew clearly Teuk Sap was a prison and the killing place because I saw them killing people there [...] During that time, when I was assigned to work near that river, I saw human dead bodies floating in the river near the Teuk Sap Prison [...] A24: We knew that those bodies were of the prisoners. The prisoners were weak, exhausted and emaciated. I did not see those corpses were tied up. I want to tell you frankly that the prisoners at that time were weak and emaciated, so when they [guards] took them to be killed, the guards did not need to tie them up. We did not see the corpses floating in the River every day, but we saw them once in several days"]
- 1963 **D54/121** Lin Sarin WRI, A7-8 ["Between July and August 1976. It was the rainy and farming season. [...] A8: During that time, the other children and I were assigned to cut *tuntrean khaet* on the other side of Praek Tuak Sab opposite the durian and rambutan fields. During that time, the top of the dam and the fields in Tuek Sab were 200 metres apart, and all the trees over there were cut down, so we could see one another"].
- 1964 **D54/121** Lin Sarin WRI, A22 ["I felt terrified, because this confirmed what I had heard, that this site was for killing. We realised immediately that the rumours were true"].
- 1965 **D54/121** Lin Sarin WRI, A1, 13-15 ["What I witnessed was people being pulled off lorries and struck on the base of their necks with clubs until they died. [...] When I use the term 'strike the neck,' I refer to the general way [...] that victims were killed [...] A13: Trucks carrying people in stopped under durian and rambutan trees. I could not identify the brand name of the lorries, but they were big and their cargo areas were covered. My conclusion is that people were pulled off those lorries and immediately beaten to death. [...] I cannot tell you what types of lorries they were, because I was not interested in the them, but they were big. [...] A14: I cannot tell you the number because they were far from me. [...] We did not know the number of victims or killers. [...] A15: I did not know if they were male or female"].
- 1966 **D54/121** Lin Sarin WRI, A1 ["However, I also witnessed victims who were beaten multiple times but did not die immediately"].
- 1967 **D54/121** Lin Sarin WRI, A12 ["I heard people being struck with clubs and heard their screams"]. See further **D54/121** Lin Sarin WRI, A8, 14 ["As a result, the children could see the killings and hear the cries of the people who were killed in Tuek Sab [...] A14: We only heard the screams and the sounds of the blows"].
- 1968 **D54/121** Lin Sarin WRI, A1, 15 ["I assume that all the people I saw transported to the Tuek Sab killing site were killed. They were finished off there, meaning they did not transport them back from there [...] A15: I only knew that they were the residents in the commune. The reason I say this is that during those events, cooperative people disappeared. Therefore, my conclusion is that those who disappeared were taken to be killed there"].
- 1969 **D54/89** Kuy Nen WRI, A5, 28-30 [Stating that in 1980, he was appointed Pu Thoeang Village Chief by the new Vietnamese authorities, and charged with 'sweeping up' the area together with local militia. In the durian and pepper plantations, they found dead bodies and human remains, together with Lon Nol military uniforms, helmets and boots, scattered openly in the field and in pits]; **D114/3** Lak Saphan WRI, A9-10 ["in May or June 1979 [...] I went to Tuek Sap to cut sugar cane. [...] Before we arrived at the sugar cane field, we had to walk past Tuek Sab Durian Plantation, where we saw bones and clothes scattered all over the ground [...] A10: I did not get into every place in the plantation, but every durian tree that I saw had graves under it. Almost all the durian trees that had graves underneath had died. According to my estimation, there may have been hundreds of graves"]; **D54/123** Lak Saphan WRI, A9, 12 ["I can confirm that killings had taken place there because after I returned to my village, I visited that place and saw remains and skulls there. [...] A12: They dug pits under the durian trees. If I am not mistaken, those people had been killed by being struck on their heads with hoes, because I saw remains of hoes scattered around the place"]; **D54/121** Lin Sarin WRI, A24-25 ["Q: Did you ever go the the east part of Preaek Tuek Sab, the site where the events occurred? A24: I went there after the Khmer Rouge regime. [...] A25: I saw one or two graves at the trunks of the durian and

rambutan trees by the road accessible to trucks. I think that there were about 20 to 30 graves in total”]; **D114/177** Meng Soek WRI, A10, 19, 21-29, 34, 42-49 [The witness found human remains and clothes at the Tuek Sap site on two occasions. On the first occasion [A10, 19, 21-29, 45], he saw wild pigs excavating bones that were ‘scattered everywhere’ over a large area (estimated at 1 hectare) in the lower part of the Toek Sap site, north of National Road 4 near the river, in an area where Mr Chhan had his villa. He could not estimate the number of bodies. He also saw soldiers’ clothes in the same area. On the second occasion [A34, 42-49], he saw a large number of rectangular pits under every large durian tree, of which there were hundreds, in the upper area of the Toek Sap site. Although he did not dig into the pits, he saw that the durian trees were dying and was therefore sure that the pits contained bodies]; **D114/96** Chen Laung WRI, A41 [“I saw a few bones. I think that the dead bodies were buried shallow, and they were dug out by animals. For example, I saw wrist bones or leg bones scattered all over the ground”]; **D114/156** Soeng Noch WRI, A141-143, 145, 155, 162, 164, 311-312 [“Later, in 1980, I was ordered to unearth the pits, taking the bones to keep as evidence for the Court today. At that place [Toek Sap], there were durian and rambutan plants belonging to Mr Chhan. The Khmer Rouge dug a pit amid the four plants. Then, they clubbed the people into the pit. The human bodies became fertiliser. [...] A142: [...] The propaganda section ordered us to unearth the pit and bring the bones to be stored in the museum. In the pit, there were skulls of young children, elderly, and foreigners. Q: How many bones did you take from the pit? A143: Four to ten skulls plus other bones. I put them in a bag and brought them along National Road No. 4. Then, the propaganda section drove a car and brought the bones to Phnom Penh. [...] A145: There were many [children]. [...] A155: I did not count [how many pits there were], but I unearthed three pits there. [...] Q: Do you know how many skulls you unearthed from those pits? A162: Approximately 10 skulls. [...] A164: I was the only one who excavated the pits. I found about 10 skulls. I do not want to make an estimation. [...] A311: I dug up three pits. [...] A312: [...] I found two or three skulls in each pit”]; **D114/241** Chheng Cheang WRI, A118, 120 [Current resident of Ream Village stating that he “heard that there were bodies buried near Tuek Sab and that people went to search for gold there. To go there, you travel a bit further from my house and then turn left [...] Of course, I know about this because my village is here and there are rumours all around the village”]; **D114/66** Chet Bunna WRI, A27 [“[In Smach Deng] the people told me that they saw many human bones on the places near the Teuk Sap Prison. I told them that I believed there were human bones in those places because the prison compound of the Khmer Rouge was nearby, and during that time, I also used to go to work near that place”]; **D114/40** Moul Chhin WRI, A10 [“They took the bodies to be buried around Tuek Sab, especially under coconut trees, rambutan trees, and durian trees. At present, it is difficult to identify those places because they are largely covered by houses. I never saw any killings actually being carried out at Tuek Sab. I just knew they took people away and those people disappeared never to return. People who worked there told me that the Khmer Rouge took people to be killed and buried the bodies under trees at Tuek Sab”].

1970 **D54/89** Kuy Nen WRI, A5 [“Due to the great number of corpses buried there, the trees and crops died”]; **D114/3** Lak Saphan WRI, A10 [“Almost all the durian trees that had graves underneath had died”]; **D114/177** Meng Soek WRI, A34, 44 [“They dug pits to bury the bodies around them until they all died [...] A44: I saw the pits and saw the dead durian trees”].

1971 **D114/3** Lak Saphan WRI, A10-11 [“The durian plantation at Tuek Sab, according to my estimation, was about 10 hectares. I did not get into every place in the plantation, but every durian tree that I saw had graves under it. Almost all the durian trees that had graves underneath had died. According to my estimation, there may have been hundreds of graves [...] A11: I was not an expert: I did not know about this matter. I just knew that I saw the bones. I saw four graves around each durian tree, so I concluded that at least four bodies were buried under each tree. I remember that I saw long lower-leg bones protruding from some of the graves”]; **D114/177** Meng Soek WRI, A43, 47 [witness saw hundreds of durian trees, with rectangular pits “under every durian tree”]. See also **D114/96** Cheng Laung WRI, A46-48 [“Q: How many graves did you see? A46: I saw about ten graves Q: Could you describe the graves? A47: There were small graves for each dead body. Q: How long did you stay there to investigate the place? A48: I did not spend much time there. When I saw the graves there, I got frightened and left the place”].

1972 **D114/156** Soeng Noch WRI, A145, 164 [“There were many [children]. [...] A164: Sometimes, I found the skulls of a whole family, including children’s skulls”].

1973 **D114/69** Kuy Sambath WRI, A1 [“After 1979, I returned to the place where I saw a great number of pits and graves. I saw skeletons there. In my estimation, there were about 1,000 dead bodies buried there. I thought that the number of the bodies did not exceed that figure. I also saw children’s and babies’ skulls”]

- 1974 **D114/176** Chan Savoeun WRI, A7-8, 10, 12-13, 21 [Local villager who herded cattle at the Toek Sap site in the dry season of late 1979 confirmed that he saw six (6) skulls and many bones in and around a 30-40 metre long concrete and brick basin used to make fertiliser during the Khmer Rouge regime. The skulls and bones were scattered over the area and were no longer attached together as complete skeletons. There were huts and small buildings around the same area which no longer remain]; **D114/227** Marine Division 164 (Div.3) sites: Toek Sap-Execution Site, Forced Labour Site Witness Mr. Chan Sa Voeun Site ID Report, EN 01301670-77 [with GPS references, maps and photographs of the location and remnants of the concrete fertiliser basin where the witness observed human remains in 1979].
- 1975 **D114/3** Lak Saphan WRI, A13 ["I did not see any skulls with blindfolds but I saw some nylon string left on the ground and some of the skulls had cracks"]; **D114/96** Chen Laung WRI, A35, 37 ["I could not grow vegetables there because there were graves all over the place, and ammunition was scattered all over the ground [...] A37: I saw a great number of graves there, but the number of the bones was fewer than that of the graves. I also saw the ammunition scattered all over the ground"].
- 1976 **D54/89** Kuy Nen WRI, A31 ["I can confirm that it was an execution site because some dead bodies of those who were killed by the Khmer Rouge were still tied"].
- 1977 *See, e.g.* **D114/3** Lak Saphan WRI, A6 ["Q: Had Tuek Sab been used as a burial site before the Khmer Rouge came to power? A6: No, Tuek Sab had been a site for farming and had durian plantations and other fruit orchards. These fields belonged to Mr Chhan, the ex-forest warden for this area during the Samdech Sihanouk regime"].
- 1978 **D114/3** Lak Saphan WRI, A13 ["I did not see any skulls with blindfolds, but I saw some nylon string left on the ground, and some of the skulls had cracks"]. *See also* **D2/22** Wat Enta Nhien security center Site ID Report, EN 00634155, FR 00725853, KH 00662133 ["Some of the skulls show signs of blunt trauma"]; EN 00634174-5 ["Photographs of skulls"].
- 1979 **D54/123** Lak Saphan WRI, A12 ["If I am not mistaken, those people had been killed by being struck on their heads with hoes, because I saw remains of hoes scattered around the place"]; **D114/242** Prak Bunny WRI, A93-94 ["After the coup and the fall of the Khmer Rouge, I went [to Toek Sap] [...] A94: I saw things like [...] hoes"].
- 1980 **D234/2.1.77** Seng Srun, T. 14 Sep 2015, 11.27.48-11.30.20.
- 1981 *See, e.g.,* **D114/69** Kuy Sambath WRI, A1 ["I also noted that there was discrimination. The 'base people' were treated differently from the 'new people' or the '17 April people'. And we could not do anything about this"]; **D234/2.1.67** Elizabeth Becker, T. 9 Feb 2015, 14.25.00-14.26.38 ["I was seeing the difference between what was generally called Old People and New People; that there were -- there was something resembling a cast[e] system there. And the people who were trusted, the Old People of the Revolution were cared for better and fed better"]; **D234/2.1.68** Elizabeth Becker, T. 10 Feb 2015, 09.41.41-09.43.32 ["it was a system of privileges and the New People were -- were treated much more poorly than the old people, in terms of the food, the amount of labour. All sorts of ways. It was a hierarchy"].
- 1982 **D11/210/3** Un Ron, T. 28 May 2015, 09.48.32-09.50.50 ["And as for us New People, we were afraid of our life"].
- 1983 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940354, KH 00052413.
- 1984 **D54/36** Prak Sokha WRI, A10 ["They were accused by the Khmer Rouge that they had connection with the *Yuon* as they lived in Vietnam"].
- 1985 **D98/1.2.7** Craig Etcheson, T. 28 May 2009, 11.46.06-11.48.21 ["If one measures size in terms of the number of staff employed at a security office, I think, unquestionably, S-21 was the largest"]; **D1.3.30.9** DK Military Report, *Joint Statistics of Armed Forces*, Mar 1977 [Office S-21 listed as having total force of 2,327]; **D114/27.1.7** DK Report, *Rice Consumption Plan in 1976*, 4 Jan 1976, EN 00543743 [2,048 people for Office 21 as of January 1976]
- 1986 **D54/6.1.9** Kaing Guek Eav, T. 30 Apr 2009, 16.07.25-16.19.35; **D114/277.1** Kaing Guek Eav, T. 9 Jun 2016, 15.56.44-15.58.32; **D114/277.1** Kaing Guek Eav, 7 Jun 2016, 11.24.03-11.29.44; **D98/1.2.17** Kaing Guek Eav, T. 21 Mar 2012, 10.12.11-10.14.42; **D98/1.2.21** Kaing Guek Eav, T. 29 Mar 2012, 11.33.37-11.39.02; **D98/1.2.7** Craig Etcheson, T. 28 May 2009, 12.03.59-12.07.26.
- 1987 **D54/6.1.9** Kaing Guek Eav, T. 30 Apr 2009, 16.07.25-16.19.35; **D98/1.2.2** Craig Etcheson, T. 19 May 2009, 15.16.10-15.09.57; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 14.32.18-14.33.31; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 10.45.53-10.48.12, 15.55.41-15.57.03; **D114/37.1.73** David Chandler, T. 6 Aug 2009, 09.34.13-09.37.48.
- 1988 **D114/277.2** Kaing Guek Eav, T. 8 Jun 2016, 09.16.58-09.19.20; **D98/1.2.16** Kaing Guek Eav, T. 20 Mar

- 2012, 09.51.46-09.54.03; **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.19.52-15.21.46; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147518.
- 1989 **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.25.10-15.32.34; **D4.1.1116** Kaing Guek Eav WRI, EN 00153567 ["S-21 Centre started to operate effectively only in October 1975"]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147520. Surviving documents from late August and September 1975 show that some operations had already begun by that time: *see, e.g.*, **D10.1.108** S-21 Confession of Um Soeun (Excerpts), EN 00223146 [30 August 1975 annotation of Duch].
- 1990 **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 10.22.46-10.29.18; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147520 ["killings continued from the beginning of operations at S 21 until twelve noon on 7 January 1979"].
- 1991 **D98/3.1.82** Kaing Guek Eav WRI, EN 00153567 ["At first the detention and interrogation premises were located at the corner of Streets 163 and 360 ('A' on Map no. 1) [...] the prisoners were spread out in the houses in Zone A"]; EN 00153575 [Map No. 1]; **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 10.15.31-10.22.46; **D10.1.19** Chet Sokha WRI, EN 00186507 [statement of first person to live at House 2EO on Street 360 after DK regime: "When I came, I saw many handcuffs and leg shackles"].
- 1992 **D4.1.1116** Kaing Guek Eav WRI, EN 00153567 ["In late November 1975, the Centre was transferred to the premises of the General Directorate of the National Police on Pasteur Street"]; **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.28.37-15.32.34; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 09.29.35-09.33.42 [he worked at the "PJ location," which was an "S-21 office," in late 1975], 10.06.05-10.08.52 [identifying S-21A as the "PJ"]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.10.10-14.12.52.
- 1993 **D4.1.1116** Kaing Guek Eav WRI, EN 00153567 ["In January 1976, the detained persons were sent back to 'A' for a period of 3 or 4 months"]; **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.28.37-15.32.34.
- 1994 **D4.1.1100** Kaing Guek Eav Statement, EN 00197748 ["Office S.21 was the continuation of the Police Office of Division 703 of In Lorn alias Nath [...] The Psychiatric Hospital in Takhmao was used as an ordinary prison"]; **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.25.10-15.28.37; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 15.32.07-15.34.30; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 11.26.14-11.29.08.
- 1995 **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.25.10-15.32.34 ["I was asked to bring the prisoners from Ta Kmao to that house for the cadres to interrogate them [...] Ta Kmao prison was a big prison"], 15.45.38-15.49.36; **D1.3.32.21** Kok Sros WRI, EN 00705428 [Takhmau prisoners were interrogated at P.J. then returned to Takhmau].
- 1996 **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 09.58.38-10.00.25 [identifying "S-21 Kor or C" as part of S-21 that was previously under Division 703].
- 1997 **D114/277.2** Kaing Guek Eav, T. 8 Jun 2016, 14.11.25-14.16.29; **D98/3.1.84** Kaing Guek Eav, T. 28 Apr 2009, 09.48.10-09.57.23; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.20.21, 09.28.41; **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.45.38-15.49.36 ["the Kmao prison existed until May or July [1976]"], 15.50.48-15.52.00; **D1.3.32.21** Kok Sros WRI, EN 00705428; **D4.1.363** Pes Math WRI, EN 00195708 [prisoners at Takhmau psychiatric hospital "disappeared" in 1976]; **D10.1.27** Bou Thon WRI, EN 00163762.
- 1998 **D98/3.1.84** Kaing Guek Eav, T. 28 Apr 2009, 09.54.14-09.57.23; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 10.26.10-10.30.34; **D1.3.32.21** Kok Sros WRI, EN 00705428.
- 1999 **D4.1.1116** Kaing Guek Eav WRI, EN 00153567 ["In April 1976, I decided to transfer the Centre to the premises of the Pohnea Yat high school ('B' on Map no. 1). I asked for Son Sen's authorization"], EN 00153575 [Map no. 1]; **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 11.11.57-11.18.50; **D98/3.1.81** Kaing Guek Eav, T. 22 Apr 2009, 15.45.38-15.49.36; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 10.06.05-10.08.52, 10.32.54-10.34.50; **D4.1.347** Suos Thy WRI, EN 00162611-12; **D1.3.32.21** Kok Sros WRI, EN 00705428.
- 2000 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 10.24.14-10.26.13; **D1.3.33.8** Kaing Guek Eav WRI, EN 00149911; **D10.1.117** Kaing Guek Eav Written Record of Confrontation, EN 00165437 [Answer by the Charged Person: [...] there was a risk of epidemics around S-21 because of the far too great number of corpses"]; **D234/2.1.116** Him Huy, T. 4 May 2016, 10.38.10-10.39.43 ["I heard them say that it smelled bad at Tuol Sleng, there were so many corpses buried there, so the killing site would be moved from Tuol Sleng to Choeung Ek"]; **D10.1.114** OCIJ Report of Reconstruction, EN 00197994, 00197996-97; **D10.1.115** Annex 1: Report of Crime Scene Reenactment at Cheung Ek, EN 00198021.
- 2001 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.25.39-15.29.42 [confirming that executions started at Choeung Ek sometime in 1977]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 13.52.24-13.54.57 ["In 1977, Boeng Choeung Ek was chosen as the killing site"]; **D10.1.117** Kaing Guek Eav Written Record of Confrontation, EN 00165437 [statement of Him Huy that the wooden house used to hold the prisoners at Choeung Ek was

- constructed in 1977, and confirmation by Duch that it was operational when he “inspected Choeung Ek in 1977”]; **D10.1.114** OCIJ Report of Reconstruction, EN 00197996; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192832 [“During 1977, when purges intensified, the facility at S-21 filled up, and so did the impromptu cemetery nearby. At some point in 1977 a Chinese graveyard near the hamlet of Choeung Ek, fifteen kilometers southwest of the capital, was put into service as a killing field”].
- 2002 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.58.57-10.03.45; **D4.1.347** Suos Thy WRI, EN 00162612.
- 2003 **D1.3.33.3** Kaing Guek Eav WRI, EN 00147519 [prior to March 1976, Nath was “overall Chairman who decided all work”]; **D4.1.346** Mam Nai WRI, EN 00162912; **D4.1.387** Pen Heng WRI, EN 00163695.
- 2004 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 13.55.51-14.00.43; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147519.
- 2005 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.22.24, 09.56.21; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147519 [“I cannot remember the date I was officially appointed as Chairman of S 21, but it was during March 1976”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 10.06.05 [“When S-21 was moved to Tuol Sleng, Ta Nat was replaced by Duch”]; **D234/2.1.112** Prak Khan, T. 3 May 2016, 11.23.23-11.25.38; **D4.1.387** Pen Heng WRI, EN 00163695; **D4.1.346** Mam Nai WRI, EN 00162908; **D4.1.386** Iem Horn WRI, EN 00401860; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192683.
- 2006 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.58.57-10.01.49; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.23.23-11.25.38 [“Hor was the deputy”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.13.34-15.15.11; **D1.3.32.17** Him Huy WRI, EN 00161598; **D114/37.1.66** Nhep Hau WRI, EN 00401791; **D4.1.386** Iem Horn WRI, EN 00401860.
- 2007 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.43.54-15.45.08 [“Huy was the member of S-21”]; **D114/37.1.66** Nhep Hau WRI, EN 00401791 [“When I was at S-21 [...] Huy, from Prey Sa, was Member”].
- 2008 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 10.03.45-10.06.07; **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 11.52.16-11.57.40; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.40.25-15.42.43 [“Big Huy” was in charge of Prey Sar]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 11.21.17-11.21.50 [“Huy was in charge of this S-21D”]; **D10.1.29** Meas Peng Kri WRI, EN 00163708.
- 2009 **D234/2.1.117** Him Huy, T. 5 May 2016, 10.59.23-11.01.40 [“Ta Hor [...] was in charge [of all the] security guards”]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192702 [“Duch’s deputy (anuprotean) at S-21 was Khim Vat [alias Hor] [...] who served concurrently as the head of the prison’s defense unit”].
- 2010 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.03.39-15.05.33; **D1.3.32.17** Him Huy WRI, EN 00161597 [“The defense section was set up to guard outside, inside, and to receive prisoners”]; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 13.56.39-13.59.43; **D4.1.1117** Kaing Guek Eav WRI, EN 00154198-99 [S-21 organisational chart identifying Peng as first chief of Special Unit, followed later on by Him Huy]; **D114/277.5** Kaing Guek Eav, T. 14 Jun 2016, 09.44.10-09.47.10 [identifying Peng as “chief of the special unit”]; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.09.48-10.16.48; **D4.1.343** Chiem Soeur WRI, EN 00225107 [“there were three levels of guards”].
- 2011 **D114/277.2** Kaing Guek Eav, T. 8 Jun 2016, 15.57.38-15.59.10 [“at the beginning of the interrogation unit, there were 33 interrogators who were categorized into different teams”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.15.25-11.25.38 [“Interrogators from my group -- my group consisted of 12 members and 30 people in total in the three groups. And from time to time, the interrogators, one or two of them at a time, were arrested and killed”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 09.50.14-09.52.51; **D234/2.1.53** S-21 Notebook, EN 00602543 [listing approximately 30 interrogators in the interrogation unit].
- 2012 **D114/277.9** Kaing Guek Eav, T. 22 Jun 2016, 09.58.16-10.00.26 [“Comrade Thy was in charge of list of incoming and outgoing prisoners, so the lists were under his control”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 13.33.02-13.34.32 [“Registering [...] the names of incoming and outgoing prisoners at S-21, there was only me doing the job”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 09.34.54-09.36.48 [“Suos Thy registered the names of people who were brought in”].
- 2013 **D234/2.1.121** Kaing Guek Eav, T. 21 Jun 2016, 11.15.30-11.17.00; **D234/2.1.131** Nim Kimsreang, T. 15 Sep 2016, 13.35.46-13.38.26, 15.39.46-15.43.17 [“I took only some of the photos and the rest were taken by my subordinates. I assigned them to take those photos”]; **D4.1.741** Nim Kimsreang WRI, EN 00162733 [“Q: At that time who was chairman of the photography team? A: I was group leader”].
- 2014 **D234/2.1.115** Makk Sitthim, T. 3 May 2016, 09.15.45-09.17.58 [“I would report to my chief, that is, the chief of the medics, Try”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 13.49.57-13.52.11 [“I know medic Try; he was the chief of the medical unit”]; **D114/277.7** Kaing Guek Eav, T. 16 Jun 2016, 09.24.40-09.26.54.
- 2015 **D4.1.1117** Kaing Guek Eav WRI, EN 00154198-99.

- 2016 **D4.1.1106** Kaing Guek Eav WRI, EN 00164328-29 [“S-21 was a military unit, specifically an independent regiment operating directly under the control of the General Staff, on the one hand, as regards production, unit personnel, logistics and annual training issues, and under the exclusive control of the Standing Committee for the five security missions the Centre had to accomplish, on the other hand”]; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 11.57.15 [S-21 “was a unit of the general staff; it consider as the battalion and independent regiment. The logistics we get from the general staff. The force resource also [...] Rice production also contacted with the general staff”]; **D4.1.1122** Kaing Guek Eav Written Statement, EN 00251380 [para. D]; **D1.3.30.9** DK Military Report, *Joint Statistics of Armed Forces – March 1977*, Mar 1977 [No. 13 is “Office S-21”]; **D114/27.1.7** Rice Consumption Plan, 4 Jan 1976, EN 00543743 [No. 11 – “Mo-21”].
- 2017 See, e.g., **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Division Secretaries*, 19 Sep 1976, EN 00195344 [meeting attended by S-21 Committee Member Huy]; **D1.3.27.10** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries and Deputy Secretaries of Brigades, Secretaries and Deputy Secretaries of Regiments*, 2 Aug 1976, EN 00656573-74 [comments of Comrade Huy]; **D1.3.27.19** DK Meeting Minutes, *Minutes of Meeting on Production Work*, 30 Sep 1976, EN 00184822 [report by S-21 representative]. See also **D4.1.1106** Kaing Guek Eav WRI, EN 00164330 [acknowledging that Nun Hy represented S-21 at such meetings in relation to “production or [...] the internal situation of the unit (staff, logistics, etc.)”].
- 2018 **D1.3.30.5** DK Military Report, *List of Participants - 1st General Staff Study Session*, 20 Oct 1976, EN 00897665 [12 participants from S-21, including Duch (No. 284), Hor (No. 286) and Huy (No. 287)]; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 11.58.58 [“annual study session in which myself, Comrade Hor and Comrade Huy were sent to study under the general staff until 1977”]; **D114/277.8** Kaing Guek Eav, T. 20 Jun 2016, 10.11.34-10.35.00, 10.58.02-10.59.48; **D98/1.2.16** Kaing Guek Eav, T. 20 Mar 2012, 13.37.26-13.39.23 [“The political sessions lectured by Son Sen were conducted annually”]; **D98/1.2.17** Kaing Guek Eav, T. 21 Mar 2012, 13.55.17-13.56.58; **D1.3.33.5** Kaing Guek Eav WRI, EN 00147583 [“Every year, I was called by Son Sen to attend a study session where the Party lines were illustrated”]; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.23.50-09.25.50, 13.32.22-13.34.00 [“Son Sen alias Khieu came to teach us in 1977”], 15.27.50-15.35.15; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.12.52-09.14.47, 13.35.24-13.37.27; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 10.45.53-10.48.12, 11.00.06-11.02.11 [“I met Son Sen when he came to train us during the political study session near Duch’s house”]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 14.24.49-14.26.24; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 15.38.28-15.40.22 [describing Son Sen’s meeting teaching S-21 cadres “the Angkar political line”].
- 2019 **D234/2.1.116** Him Huy, T. 4 May 2016, 09.04.44-09.06.13, 15.32.50-15.35.15 [instruction by Son Sen regarding “infiltrated enemies”].
- 2020 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.54.52-15.58.17 [“We received such instructions that anyone brought into S-21 were considered as traitor of the nation. That was the clear instruction from the upper echelon [...] it was their policy that enemy needed to be smashed. Every enemy needed to be smashed”]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 14.30.33-14.31.57 [Son Sen instructed at political study sessions that “traitors had to be smashed”]; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.04.44-09.06.13.
- 2021 **D1.3.33.5** Kaing Guek Eav WRI, EN 00147583 [“S21 was managed by the Standing Committee of the Party Center”]; **D4.1.1107** Kaing Guek Eav WRI, EN 00164366 [Duch “report[ed] on Special Branch documents to the Centre Standing Committee,” at which “only Son Sen and bigger above him Nuon Chea were routinely tasked with the duty of supervising S21”]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 15.56.44-15.58.32 [“As for the reporting regime, everyone reported to Hor and Hor reported to me, then I reported to my superior [...] And usually I met my superior in the afternoon through a phone conversation, that is, with Son Sen. As with Brother Nuon, I went to see him in person”]; **D98/1.2.17** Kaing Guek Eav, T. 21 Mar 2012, 10.12.11-10.14.42 [“In my capacity as the chairperson, I had regular contacts with my superior, including Son Sen and Nuon Chea. With Son Sen I had a daily contact, but with Nuon Chea I would contact him every other day”]; **D98/1.2.42** David Chandler, T. 24 Jul 2012, 11.31.45-11.32.45; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192693-94.
- 2022 **D98/1.2.21** Kaing Guek Eav, T. 29 Mar 2012, 09.47.37-09.49.11 [“I would say I went to do important work for Son Sen until the 15 of August 1977. So until - up until the directive was issued, I was still under the supervision of Son Sen”]; **D98/1.2.19** Kaing Guek Eav, T. 27 Mar 2012, 11.06.59-11.10.33, 11.20.10-11.23.30; **D4.1.1107** Kaing Guek Eav WRI, EN 00164361 [“Before 15 August 1977, I reported only to Son Sen”]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147521-22; **D234/2.1.114** Prak Khan, T. 2 May 2016,

- 11.08.37-11.10.42 [confirming that Son Sen was Duch's superior]; **D234/2.1.116** Him Huy, T. 4 May 2016, 11.25.27-11.26.46 ["it was Son Sen who was Duch's superior"]; **D4.1.855** Lohn Dos WRI, EN 00346071 ["S-21 was also under the control of the General Staff from 1975 until 1977. I saw Duch coming to attend meetings with Son Sen"].
- 2023 **D114/277.2** Kaing Guek Eav, T. 8 Jun 2016, 09.47.50-09.49.42 [testifying that he and Son Sen "contacted each other [...] nearly every day" by telephone, during which calls Son Sen would "ask about everything regarding the confessions" and give Duch "many instructions"]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.56.12 ["Son Sen and I talked to each other almost every evening on the phone"], 15.56.44-15.58.32; **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 09.48.13-09.51.48; **D98/1.2.18** Kaing Guek Eav, T. 26 Mar 2012, 15.16.43 ["at S-21, we had to follow this report line as well with Son Sen [...] Every day, he called me on the phone [...] at around 4 or 5 in the afternoon. He asked me particularly on individual prisoners [...] he was interested in. So I reported to him regularly"]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147520 ["he was the person who instructed me before sending something to upper level [...] Each of my annotations on confessions was made as instructed over the telephone"]; **D1.3.33.11** Kaing Guek Eav WRI, EN 00147569 ["When Son Sen was my direct supervisor, my notations on the confessions were made according to his telephone instructions"]. See also **D4.1.964** Ieng Sary Interview, 17 Dec 1996, EN 00417627 ["Duch and Son Sen had contact almost every single day"].
- 2024 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.56.12-09.58.35 ["we met once every three or four days. And the location that I met Son Sen, was [...] to the north of Borei Keila"]; **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 10.37.34-10.42.33 [identifying location where he "worked with Professor Son Sen"]; **D4.1.1116** Kaing Guek Eav WRI, EN 00153570 ["'B' was Son Sen's second office [...] I would go to this office every three or four days, and at least once a week, in order to receive Son Sen's instructions"], 00153576 [map with location of Son Sen's office marked "B"]; **D4.1.855** Lohn Dos WRI, EN 00346071 [testimony of General Staff communications officer: "I saw Duch coming to attend meetings with Son Sen"].
- 2025 **D98/1.2.25** Kaing Guek Eav, T. 5 Apr 2012, 10.01.40 ["Nuon Chea never came down to S-21, while Son Sen went there four times"]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147521 ["only one came to inspect S-21, Son Sen. The first time he came to the front gate. The second and third times, he came only as far as my house"].
- 2026 **D114/277.1** Kaing Guek Eav, 7 Jun 2016, 11.32.31, 13.51.08-13.56.39 [describing 15 August 1977 meeting with Nuon Chea: "Brother Nuon told me that Comrade Khieu went to the battlefield, so I was to work with him from that time onward"]; **D98/1.2.24** Kaing Guek Eav, T. 4 Apr 2012, 15.17.07-15.19.58 ["From the 15 August 1975, rather 1977, Son Sen no longer called upon me to work with him personally. I started to work with Brother Nuon instead [...] after Brother Son Sen went out, I communicated with him through air communication once a month"]; **D98/1.2.19** Kaing Guek Eav, T. 27 Mar 2012, 11.41.56-11.43.42; **D98/1.2.25** Kaing Guek Eav, T. 5 Apr 2012, 10.15.49; **D98/1.2.27** Kaing Guek Eav, T. 10 Apr 2012, 15.45.16-15.47.49; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147522; **D4.1.1107** Kaing Guek Eav WRI, EN 00164361; **D4.1.964** Ieng Sary Interview, 17 Dec 1996, EN 00417627 [confirming that Son Sen moved to the East "In late 1977 or early 1978," after which Duch "went directly up to Nuon Chea"].
- 2027 **D114/277.5** Kaing Guek Eav, T. 14 Jun 2016, 14.28.19-14.34.51; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 15.56.44-15.58.32; **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 09.49.58; **D98/1.2.18** Kaing Guek Eav, T. 26 Mar 2012, 15.16.43-15.18.21, 15.48.36-15.51.28; **D98/1.2.17** Kaing Guek Eav, T. 21 Mar 2012, 10.12.11-10.14.42; **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 10.37.34-11.07.10 [identifying locations where he met Nuon Chea, including "the Buddhist Institute where Uncle Nuon frequently asked me to go and work"]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147520-22 ["With Nuon Chea, it was different. He did not talk on the telephone [...] I met Nuon Chea at two sites. First at Borei Keila. Second at Puthika Soramarith [...] The reason for the meetings was that I was called to report and receive instructions. In general, we met only once every three days [...] [I made] general reports regarding S 21 and summaries of interrogations. On instructions, calling them orders would be better"]; **D1.3.33.11** Kaing Guek Eav WRI, EN 00147569; **D4.1.1116** Kaing Guek Eav WRI, EN 00153570-71, 00153576 [map with location of Nuon Chea's Suramarith office marked "G"]; **D114/29.1.13** Kaing Guek Eav WRI, EN 00398164.
- 2028 **D114/277.8** Kaing Guek Eav, T. 20 Jun 2016, 09.31.13-09.36.24; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.42.41-09.44.52, 09.54.25-09.56.12; **D98/1.2.21** Kaing Guek Eav, T. 29 Mar 2012, 14.18.18 ["Documents that were to be sent to the upper level or superiors, they had to be sent to the Standing Committee through Son Sen, and after the 15th of August 1977, I started sending the documents to Nuon Chea instead"]; **D98/1.2.26** Kaing Guek Eav, T. 9 Apr 2012, 15.29.22-15.32.07; **D98/1.2.18** Kaing Guek Eav,

- T. 26 Mar 2012, 11.08.48-11.10.43, 15.16.43, 15.18.21 [“certain urgent confession, I had to report directly on the phone to Son Sen; I ask his messenger to pick the confession up from S-21”]; **D4.1.1107** Kaing Guek Eav WRI, EN 00164361; **D4.1.1118** Kaing Guek Eav WRI, EN 00195603; **D4.1.404** Kaing Guek Eav WRI, EN 00242932; **D98/1.2.29** Saut Toeung, T. 19 Apr 2012, 09.31.11-09.46.20; **D4.1.850** Saut Toeung WRI, A105, 117; **D4.1.247** Mam Nai WRI, EN 00164393 [“I knew that Duch sent the confessions to upper echelon [...] I knew that the lists of all the prisoners were sent to the Center, who were the people who made the decisions”]; **D234/2.1.14** Gina Chon and Thet Sambath, *Behind the Killing Fields*, EN 00757537. *See, e.g.*, **D1.3.18.4** S-21 Confession of Kung Kien alias Eung Vet, 23 May 1977, EN 00822048 [cover page contains 21 May 1977 annotation from Duch to “Respected Brother,” and 23 May 1977 annotation “Send directly to Brother Nuon”].
- 2029 **D114/277.8** Kaing Guek Eav, T. 20 Jun 2016, 09.39.38-09.43.55; **D4.1.406** Kaing Guek Eav Written Statement, EN 00434349 [“When I was chairman of S-21, I received letters from Son Sen and Nuon Chea. As I recall, they were short letters, just several words, brief, urgent orders”]; **D1.3.33.10** Kaing Guek Eav WRI, EN 00195573; **D98/1.2.28** Saut Toeung, T. 18 Apr 2012, 13.42.47-13.44.50; **D4.1.850** Saut Toeung WRI, A104, 106-113.
- 2030 **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932 [“The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons”]; **D4.1.860** Kaing Guek Eav WRI, EN 00403918 [“In practice, when a person was implicated in a confession, the superiors informed the head of the unit”]; **D4.1.400** Kaing Guek Eav WRI, EN 00242880 [“Before someone was arrested, it was compulsory to consult the head of his unit. Once the confession was collected, it was sent by Son Sen (then Nuon Chea) to the unit head”]; **D4.1.1156** Kaing Guek Eav WRI, EN 00205162; **D4.1.1118** Kaing Guek Eav WRI, EN 00195602; **D114/277.5** Kaing Guek Eav, T. 14 Jun 2016, 14.34.51-14.36.39 [“When enemies implicated certain individuals at the zone level, the upper echelon sent those confessions to the particular zone for review”]; **D98/1.2.6** Kaing Guek Eav, T. 27 May 2009, 09.33.54 [“the confessions from S-21 [...] were delivered to my superior and then my superior gave to Sou Met and Sou Met would -- selected some of the names from those from Division 502”], 09.57.12-10.00.15, 10.34.00; **D12** Kaing Guek Eav WRI, EN 00680799 [“before making any decisions, Son Sen always asked for comments and assistance from the heads of the divisions”].
- 2031 **D98/3.1.20** Chhaom Se, T. 11 Jan 2013, 15.28.00-15.38.48 [testimony of Division 801 security chief that after Division Secretary Saroeun received confessions from Phnom Penh containing the “names of people who had been implicated,” decisions were made on “whether the person should be arrested or disciplinary actions shall be taken”]; **D4.1.805** Chhaom Se WRI, A6; **D4.1.443** Ham Ansi WRI, EN 00250750 [Sector 105 military chief received from the Party Centre copies of S-21 confessions of Division 920 soldiers that “implicated persons they knew”]; **D98/1.2.33** Sao Sarun, T. 7 Jun 2012, 11.09.11-11.12.30 [confirming that as Sector 105 Secretary, he received a telegram from Pol Pot informing him that the confession of a Sector 105 official had identified “Comrade Sot” as a traitor]; **D4.1.578** Telegram 54 from Sarun to Respected Brother, 23 Apr 1978 [telegram from Sector 105 Secretary discussing the arrest of Sot, who was “implicated in the confession of the traitor A Chuon”]; **D98/3.1.221** Rochoem Ton alias Phy Phuon, T. 30 Jul 2012, 11.36.45-11.44.44 [testimony of MFA Security Chairman that Ieng Sary received annotated confessions from Office 870 implicating people as “KGB or CIA”]; **D4.1.241** Rochoem Ton alias Phy Phuon WRI, EN 00231411 [“the names of those implicated were sent to Uncle Ieng Sary for him to clarify and tell them who those persons were”]; **D98/3.1.198** Suong Sikoeun, T. 7 Aug 2012, 09.26.23-09.29.27 [confirming Ieng Sary read from confessions]; **D98/3.1.244** Suong Sikoeun, T. 20 Aug 2012, 11.34.17-11.36.35 [testifying that he was called to Ieng Sary’s office and told he had been implicated in a confession]; **D4.1.835** Saloth Ban WRI, EN 00361013-14 [confirming that S-21 confessions were sent to the Ministry of Foreign Affairs].
- 2032 *See, e.g.*, **D234/2.1.55** S-21 Confession of Hoeng Doeun alias Dim Annotations & **D1.3.18.1** S-21 Confession of Hoeng Doeun alias Dim, EN 00224085, KH 00162140 [Son Sen annotation on confession of Division 164 Deputy Secretary: “I will invite comrade Mut to check this together”]; **D234/2.1.54** S-21 Confession of Kun Dim, 21 Jul 1977, EN 00822359, KH 00175293 [annotation: “Division 164 of Comrade Mut are mentioned [...] Contact Comrade Mut so that he can take measures”]; **D10.1.105** S-21 Confession of Sour Tuon alias Mao, 15 May 1977 [handwritten note from Son Sen to Division 801 Secretary Saroeun: “Please read this report of Mao and pick out the relevant names of Unit 801”]; **D1.3.1.10** S-21 Confession of Srei Sareuan, 19 Oct 1977, EN 00824789 [annotation on confession of former Battalion Secretary in Division 502: “One copy sent to Comrade Met”]; **D1.3.1.5** S-21 Confession of Nay Chap, 27 Aug 1977, EN 00814489

- [annotation on confession of Division 502 Battalion Secretary: "One copy sent to Comrade Met"]; **D4.1.35** S-21 Confession of Sieng Phon alias Pha, 28 Oct 1977, EN 00842803 [annotation on confession of Battalion assistant in Central Zone Division 174: "Send Brother Nuon 1 copy for sending to Central Zone"]; **D10.1.1** S-21 Confession of Yung Peou, 24 Apr 1977, EN 00182829 [annotation on confession of Sector 106 Security Chief: "One copy sent to Comrade Pok"]; **D1.3.18.4** S-21 Confession of Kung Kien alias Eung Vet, 23 May 1977, EN 00822048 [annotation: "Extract sent to Comrade Mok"].
- 2033 See, e.g., **D1.3.27.17** DK Military Meeting Minutes, *Minutes of the Meeting with Comrade Tal Division 290 and Division 170*, 16 Sep 1976 [meeting attended by Son Sen, Duch, Division 170 Secretary Sokh, and Division 290 Secretary Tal that agreed upon the arrests of 29 cadres from Division 170 and "Chakrey's wife and cousin"]; **D4.1.1156** Kaing Guek Eav WRI, EN 00205162 [stating that he attended "two or three discussions" where the superior and unit head disagreed on whether to arrest an implicated person, including the meeting between Son Sen and Division 170 Secretary Sokh regarding persons implicated in Chan Chakrei's confession]; **D98/1.2.21** Kaing Guek Eav, T. 29 Mar 2012, 09.06.02-09.11.58 [discussing meeting attended by Son Sen, Division Secretary Sokh and Duch: "The meeting was convened to discuss the people in Division 170 who were associates of Chan Chakrey [...] people in Division 170 were arrested"].
- 2034 See, e.g., **Division 502: D1.3.23.3** Letter from Division 502 Secretary Sou Met to Duch, 1 Apr 1977 ["After obtaining the confession of Soam of M-62, we have transferred the following to S-21"]; **D1.3.28.35** Letter from Sou Met to Duch, 30 May 1977 [refers to "27 traitors from the networks of Divisions 310 and 450" who were sent to S-21 on the evening of 29 May 1977, and requests that "Mao's confession" be provided so that Met can "search for more enemies"]; **D1.3.30.17** Letter from Sou Met to Duch, 1 Jun 1977 ["At 2:30 hours, I sent in Sun Heng, who according to the responses of Mao, Saom and Pang carried out the activities in the following case file"]; **D234/2.1.57** Letter from Sou Met to Duch, 1 Jun 1977 [identifying 3 additional people to send to S-21 that day whom Met had arrested "long ago" – see Nos 4291-4293 on OCIJ S-21 Prisoner List]; **D4.1.391** Letter from Sou Met to Duch, 2 Jun 1977, EN 00316309 [identifying 3 cadres being sent to S-21, including one Met determined to be an enemy based on his "personal observation"]; **D1.3.23.4** Letter from Met to Duch, 28 Jul 1977 ["I would like to send you Sem, a company secretary of Battalion 512. Regarding this one, Sa-Oum and Reun at Battalion 512 confessed to confirm that he is in their network" – see OCIJ S-21 Prisoner List, No. 8283]; **D1.3.30.22** Letter from Met to Duch, 10 Aug 1977, EN 00224319 [requesting Duch provide confession of Sem]; **D4.1.395** Letter from Met to Duch, 3 Oct 1977, EN 00195320 [requesting to send former Division 703 and Sector 25 cadre implicated in confessions of prisoners from those organisations]; **D10.1.72** Letter from Met to Duch, 4 Oct 1977. **Division 310: D1.3.30.8** Report from San (Division 310 Committee) to Duch, 3 Apr 1977, EN 00233650 [request to "hand over 7 persons," each of whom is identified by name and position]; **D1.3.30.14** Report from San to Duch, 26 Mar 1977 [identifying 6 people from Divisions 310 and 450]; **D1.3.30.12** Letter from San to Duch, 5 May 1977, EN 00178184 ["Request to hand over 17 persons to Comrade [...] The reasons for arrest are that all of them were named as having joined CIA in the responses of Moen Khan"]; **D4.1.391** Letter from San to Duch, 15 May 1977, EN 00316310 ["I would like to send 7 people to you [...] They are arrested because their names and activities are mentioned in the confession records attached"].
- 2035 **D234/2.1.55** S-21 Confession of Hoeng Doeun alias Dim Annotations & **D1.3.18.1** S-21 Confession of Hoeng Doeun alias Dim, EN 00224085, KH 00162140 [Son Sen 8 May 1977 annotation on confession of Division 164 Deputy Secretary: "Though some are the right people, some others, whom I have known, are not. *I will invite comrade Mut to check this together*" (emphasis added)]; **D234/2.1.54** S-21 Confession of Kun Dim, 21 Jul 1977, EN 00822359, KH 00175293 [Son Sen note: "Division 164 of Comrade Mut are mentioned [...] Contact Comrade Mut so that he can take measures. We have already basically removed all those on Comrade Mut's side"]; **D4.1.766** Kaing Guek Eav WRI, EN 00398210 [identifying Son Sen annotations on Hoeng Doeun confession].
- 2036 **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Division Secretaries*, 19 Sep 1976, EN 00195344 [meeting attended by S-21 Committee Member Huy]. See also **D1.3.27.10** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries and Deputy Secretaries of Brigades, Secretaries and Deputy Secretaries of Regiments*, 2 Aug 1976, EN 00656573-74 [comments of Comrade Huy]; **D1.3.27.19** DK Meeting Minutes, *Minutes of Meeting on Production Work*, 30 Sep 1976, EN 00184822 [report by S-21 representative].
- 2037 See, e.g., **D1.3.27.26** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977, EN 00933834 [report by Division 502 Secretary Met: "More than 50 no-goods have been sent to S-21"].

- 2038 **D1.3.33.16** Meas Muth Interview, 20 Jul 2001, EN 00089661-62 [“in my division no one was arrested”].
- 2039 **D1.3.7.8** Cambodia Daily, *Let Bygones Be Bygones*, 1 Mar 2008, EN 00165821 [“People were arrested from my division, but I don’t know how many. Duch himself went and arrested them”].
- 2040 **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940350-51 [recording Meas Mut’s “total agreement” with the Party on the need to identify and purge “no-good elements or enemies” opposed to the revolution who were “still camouflaged and infiltrated in the rank and file”]; **D1.3.34.60** Telegram from Meas Muth to Mo-870, 31 Dec 1977 [vowing to be in “total unity” with the Party and to “[sweep] cleanly away and without half-measures the uncover[ed] elements of the enemy”]; **D1.3.27.26** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977, EN 00933835 [report by Meas Muth of ongoing purge of platoon], 00933841 [Son Sen: “mere education is not enough. It is imperative to continue further with absolute purges”]. See also **D1.3.27.13** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 30 Aug 1976, EN 00183967-68 [Son Sen statement that it was “imperative to conduct further purges of no-good elements,” in response to reports from Division and Regiment Secretaries of cadres who criticised the revolution or encouraged desertion]; **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Division Secretaries*, 19 Sep 1976, EN 00195350 [Son Sen statement: “We must have an absolute stance to screen out counter-revolutionary elements. Do not hesitate”].
- 2041 **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940340-44.
- 2042 **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940345, 00940352-55 [“These experiences have further heightened our concerns about those elements with no-good biographies [...] Another lesson results in our realizing that trivial activities attacking the Revolution, such as stealing and speaking in hints that attack the Revolution, are all issues that stem from such traitorous links [...] It is imperative to purge no-good elements absolutely”].
- 2043 **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940339-40 [Division 164 Deputy Dim report on arrests of combatants, bandits and a 13-year-old girl], EN 00940346-52 [Division 164 Deputy Dim: “I would like to be in unity with Angkar’s presentation [...] it is imperative to follow up with more purges;” Division 170 Secretary Sokh: “Division 170 has purged 70 no-good elements [...] I would like to be in unity with the Party;” Division 290 Secretary Tal: “total agreement with Angkar’s presentation [...] there are still a lot of elements remaining;” Division 703 Secretary Pin: “As regards the problem of traitors and the Party’s measures, I agree completely [...] even though we have arrested their bosses, they are continuing with their activities;” Division 450 Secretary Suong: “The no-good elements have been rounded up, but not yet entirely purged;” Division 310 Secretary Oeun: “we have got 36 no-goods [...] I would like to be in agreement with the Party’s preparatory measures;” Regiment 488 Secretary Pheap: “in unity with Angkar’s presentation;” Regiment 377 Secretary Nai: “As for the traitors, [...] I am happy about the measures of the Party in discovering and arresting them;” Division 502 Secretary Met: “It is imperative to dare absolutely to conduct purges;” Division 164 Secretary Mut: “this has been a great victory for our Party [...] a correct standpoint analyses these enemies as being American imperialists and revisionists with plans to attack our Revolution [...] No-good elements or enemies are still camouflaged and infiltrated in the rank and file [...] It is imperative to make arrangements to take measures so as to seize the initiative in advance. On this I would like to be in total agreement and unity with the Party;” General Staff Deputy Nat: “I would like to express my happiness about the Party’s victory in smashing traitorous links;” Regiment 152 Secretary Sim: “the arrest of these traitors [...] should be considered a great victory;” Son Sen summary: “Those present at the meeting are in unity with the Party in considering that the arrest of these traitors is a great victory over the revisionists who [...] had been infiltrating for more than 10 years”].
- 2044 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 1624 [entered 21 April 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 11 [executed 8 December 1977]; **D1.3.28.40** List of Prisoners Who Were Smashed and Photographed on 8 December 1977, EN 00873280-81, KH 00009146 [No. 2 on list].
- 2045 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4797 [entered 28 April 1977, executed 13 March 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 24 (and No. 27 – duplicate).
- 2046 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 5342 [entered 2 June 1977]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 26.

- 2047 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14152 [Chey Suon entered 1 November 1976].
- 2048 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14156 [Chey Han entered November 1976]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 3; **D114/145.1.1** S-21 Confession of Chey Han alias Chhan (XVII), EN 01191539, KH 01176685 [3rd Confession of “XVII” dated 24 Oct 1976], EN 01191572, KH 01176817 [note of interrogator Pon dated 19 Oct 1976]. See also **D54/10** Meu Ret WRI, A7-8; **D114/85** Chet Bunna WRI, A10; **D54/29** Liet Lan WRI, A24; **D114/89** Seng Sin WRI, A60; **D114/159** Kaing Guek Eav WRI, A34-36 [Chey Han “had problems with Brother Muth”].
- 2049 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 8176; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 40 [entered April 1977, executed 19 September 1977]; **D1.3.28.40** List of Prisoners Smashed on 19 September 1977, EN 00873165-73, KH 00009083-85, [No. 17 – San Seap entered in April 1977].
- 2050 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14561; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 39; **D1.3.1.8** S-21 Confession of Sam, 13 July 1976.
- 2051 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13137 [prisoner committed suicide by hanging on 4 May 1977].
- 2052 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 7383 [female medic Hem Ang alias Sin, identified as the wife of Secretary Sok – entered 26 or 28 April 1977, executed 29 April 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 10.
- 2053 **D9.3** OCIJ List of S-21 Prisoners from Division 164, No. 51 [Vorng Sam Kol – entered 28 April 1977, executed 9 December 1977]; **D1.3.28.40** List of Prisoners Smashed on 9 December 1977, EN 00873605-33, KH 00009293-302 [No. 1].
- 2054 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 450 [Chhun Lun alias Sam-At, Political Battalion – entered 29 June 1976], 2368 [Kung Kien alias Eung or Oeng Vet, Battalion 631 Secretary – entered April 1977, executed 13 March 1978], 3223 [Kun Dim, Battalion 141 Deputy Secretary – 20 or 25 April 1977], 3994 [Kung Sean alias San, Battalion 142 Secretary – entered 27 or 28 April 1977, died of disease 14 February 1978], 4159 [Nop Norn, Battalion 621 Secretary – entered 24 May 1977], 7207 [Pen Ham, Battalion 170 Secretary – entered 28 April 1977, died of disease 14 February 1978], 7526 [Choek Sreng, Battalion Secretary – entered 11 April 1977, died of disease 14 February 1978], 7546 [Nguon Lakk alias Sarat, Battalion 170 Member – entered 28 April 1977, executed 13 March 1978], 13155 [Sek Phieng, Battalion 613 Deputy Secretary – entered 23 April 1977, died of disease 14 February 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, Number 6 [identifying Chhun Lun as Battalion 165 Deputy Secretary], 8, 16 (and duplicate 18), 17 [Kun Dim executed 19 September 1977], 20, 30, 34, 36. (It should be noted that while the OCIJ S-21 Prisoner List indicates that 4 of these Battalion Secretaries or Deputies died of disease on the same date, 14 February 1978, the underlying referenced document (KH 00016147-50, which is not on the Case File but is on the Shared Materials Drive where it is accessible to all parties) is actually a list of 105 sick or ill prisoners who were smashed on that date.)
- 2055 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 1273 [Chet Kim Chhoeun alias Kim Eng – entered 15 June 1976], 4160 [Sok Oeun, Secretary of Company 22, Battalion 611 – 24 May 1977], 6402 [Ouch Chann Thol or Than – 31 May or 1 June 1976], 6876 [Peou Chhean alias Bunny, Company Commander – 29 June 1976], 8618 [Soeng Krin alias Nguon, Company Commander – 18 December 1976], 9876 [So Sokhom – 31 May or 1 June 1976], 10571 [Sem Sot – 15 or 16 June 1976], 13381 [Vong Loeng alias Than, Platoon Commander – 15 June 1976], 13675 [Ken Khon – entered 29 July 1976, executed 31 August 1976], 13870 [Yim Savuth alias Meng – 31 May or 1 June 1976]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, Nos 2, 15, 35, 37, 41, 45-47, 52, 53 (and duplicate 54).
- 2056 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 435 (Meas Lien alias Saroeun – entered 15 June 1976), 444 (Choeum Kheng alias Sophal – 18 December 1976), 627 (Kung Oeun – 7 May 1976), 643 (Sam Set – 7 May 1976, from Kang Keng), 1448 (Doeur Veng – 18 December 1976), 1537 (Ieng Song alias Sreang – 15 June 1976), 4707 (Meas Torn alias Vann – entered 7 May 1976, executed 31 August 1976), 5308 (Meas Lean alias Savy – 7 May 1976), 5610 (Nhem Sim – 15 June 1976), 5729 (Ngin Soem or Lim – 15 June 1976), 6084 (Om or Um Keun/Kaen – entered 7 May 1976 from Kang Keng, executed 14 July 1976), 6090 (Un Phluok alias Samnang – 7 May 1976), 6622 (Prum Tim – 18 December 1976), 10189 (Sek Sen alias Sophal – 15 June 1976), 10650 (Say Nen alias Nem – 15 June 1976), 11478 (Sie Him – 18 December 1976), 12164 (Chhim Hong alias Sreang – 14 July 1976 or 1978), 12219 (Taum or Tauch Sopheap alias Sokun – 15 June 1976), 13911 (Yiv Huot alias Hoan – 15 June 1976); **D9.3** OCIJ List of S-21 Prisoners from Division 164, Nos 1 (and duplicate 7), 9, 14, 19, 25, 28, 32, 38, 42-44, 49-50, 55, 23 [Lim Huot, Combatant – entered 28 August 1976, died of disease 3 October 1976].
- 2057 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 6095 [Ou Soumeng alias Leang, Combatant & Chinese translator

- 16 July 1977], 9295 [Lim Hong Krai alias San – 7 April 1978], 9724 [Ieng Ly alias Huong – 19 or 20 April 1978], 9725 [Huy Hong alias Phal – 19 or 20 April 1978], 9726 [Ngau Uy alias Tong – 20 April 1978], 9727 [Laim Fatt alias Huot – 20 April 1978], 10233 [Chiv Khun, identified as Chinese translator in Stung Hav, Kampong Som Port – 3 February or 12 May 1978], 12218 [Taing Veng Sy or Soeng alias Chhin – 19 or 20 April 1978]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, Nos 12, 13, 21, 22, 29, 48. *See also* **D54/87** Prum Sarat WRI, 29 Apr 2014, A156-158 [describing disappearance of Chinese translator “San alias Lim,” an apparent reference to OCIJ No. 9295 Lim Hong Krai alias San].
- 2058 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 627, 643, 4707, 5308, 6084, 6090.
- 2059 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 435, 1273, 1537, 5610, 5729, 10189, 10571, 10650, 12219, 13381, 13911.
- 2060 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 444, 1448, 6622, 8618, 11478.
- 2061 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 9295, 9724-9727, 12218. During that same month, a group of five Chinese translators from Division 502 were purged (OCIJ Nos 9213-9217), indicating this was an action jointly planned or coordinated by Meas Muth and other RAK leaders.
- 2062 **D1.3.14.1** Telegram from Mut (Meas Muth) to Brother 89 (Son Sen), 11 Jun 1976, EN 01191727-28 [reporting a letter intercepted by the Division that was addressed to Battalion 165 Deputy Secretary Sam-At alias Sun and a cadre named “Buni” or “Suni”]; **D9.3** OCIJ List of S-21 Prisoners from Division 164, Nos 6 [identifying Chhun Lun alias Sam-At as Battalion 165 Deputy Secretary], 37 [identifying Peou Chhean alias Buny as Secretary of Company 2, Battalion 165]; **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 450 [Chhun Lun alias Sam-At entered 29 June 1976], 6876 [Peou Chhean alias Bunny, Company Commander, also entered 29 June 1976].
- 2063 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 1624, 2368, 3223, 3994, 4797, 7207, 7526, 8176, 13155.
- 2064 *See, e.g.,* **D54/104** Ek Ni WRI, A3, 5, 10 [“Ta Mut held a meeting and said about confessions. Ta Mut announced that [Battalion 631 Chairman] Vet was traitorous [...] A5: [...] Yan was among traitors whose names were made a rhyme by Ta Mut, ‘Nhoek, Chhan, Yan and Doem were traitors.’ [...] A10: [...] later on, Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents, and after their disappearance, we knew those people had been arrested”]; **D54/102** Ek Ni WRI, A1; **D114/85** Chet Bunna WRI, A10, 20-23, 32-34; **D54/12** Pres Mean WRI, A25-32 [mid-1977 meeting held by Meas Muth at Stung Hav at which he accused Chhan and deputy Dim of being traitors]; **D54/13** Pres Mean WRI, A1-5; **D114/89** Seng Sin WRI, A60, 63 [“Meas Muth read Norng Chhan’s confession out loud in the meeting. [...] A63: [...] [They] did not make a confession. Meas Muth just claimed they were traitors”].
- 2065 **D53/2.1.30** Kaing Guek Eav, T. 2 Apr 2012, 14.21.58-14.25.09 [Thai fishermen sent to S-21 were “arrested by people at Division 164”]; **D114/277.7** Kaing Guek Eav, T. 16 Jun 2016, 10.38.56-10.41.52 [discussing Vietnamese fishermen sent to S-21]; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.48.42-09.51.10 [Vietnamese prisoners at S-21 were both soldiers and civilians, including families], 09.52.09-09.55.08 [Vietnamese prisoners arrested at sea trying to flee Vietnam for Thailand were recorded in S-21 lists as having been arrested at Kampong Som], 10.37.35-10.42.02 [many of the Vietnamese prisoners sent from Kampong Som arrived at S-21 with their families], 15.30.04-15.31.42; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.57.03-15.59.05 [Vietnamese detainees at S-21 included civilians who were “brought in along with their spouse and children”]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.04.07-09.05.56; **D114/165** Prak Khan WRI, EN 01219848-49; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.33.53-15.35.08 [testimony of S-21 cadre: “I saw the Vietnamese people come, many Vietnamese, who were loaded and brought in by trucks, especially in 1978. There were about two to three truckloads of them”], 15.35.08-15.37.17; **D98/3.1.146** Lach Mean, T. 3 Aug 2009, 14.14.33-14.20.36; **D114/132** Mao Ran WRI, A91-110 [describing capture of Thai civilians on boats by DK navy]; **D114/159** Kaing Guek Eav WRI, A30 [purges by Meas Mut also occurred “at the villages around the port, and around Kampong Som City”]; **D114/41** Suos Thy WRI, A6-12 [references in S-21 lists to persons arrested from Kampong Som included foreigners, soldiers and civilians fleeing countries who “entered Cambodian territorial waters and were captured”].
- 2066 **D1.3.34.64** Confidential Telephone Communication from Meas Muth to Brother 89 (Son Sen), 20 Mar 1978 [reporting capture and arrest of “76 Vietnamese people – both young and old, male and female,” on two boats at Koh Tang, and capture of 21 Thai people on boat at Koh Wai island]; **D54/73.1** Report from Meas Muth, 1 Apr 1978 [“There was a total of 120 Vietnamese who were arrested and shot dead from 27 March to 30 March 1978”]; **D1.3.12.20** Report from Meas Muth, 12 Aug 1977 [report from Muth of capture of Thai fishing boat and arrest of 4 Thai and 1 Khmer who were being interrogated]; **D1.3.12.3** Report from Meas Muth to Brother 89, 22 Feb 1976 [reporting arrest of group of alleged bandits from Veal Rinh area, one of

whom had been interrogated]; **D1.3.34.23** Telegram from Soeung to Angkar, 12 Aug 1977; **D1.3.8.4** DK Military Meeting Minutes, *Minutes of Meeting between Son Sen and Division 164*, 9 Sep 1976, EN 00657355 [reporting capture of people on two Thai fishing boats and the arrest of a lieutenant [of the former regime]], EN 00657356 [instructions of Son Sen to round up “soldier elements” and to “send the group of boats that came in Koh Rong Sanloem to Angkar for interrogation”]; **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195340-41 [report by Meas Muth on capture of Thai fishing boat]; **D1.3.34.28** Report from Division 164, 15 Sep 1977 [report of capture of two Thai boats and killing of people on board]; **D1.3.34.11** Telegram 11 from Comrade Deum (Dim) to Brother Mut (Meas Muth), 24 Sep 1976 [copied to Son Sen and Nuon Chea: reporting arrest of 5 enemies who tried to flee from Riem and Baboh sub-districts, pursuant to decision of Meas Muth]; **D1.3.34.12** Telegram 12 from Comrade Dim (Dim) to Brother Mut (Meas Muth), 27 Sep 1976 [reporting arrest of 16-year-old boy who confessed to being a spy for “bandits”]; **D1.3.34.13** Telegram 16 from Dim to Muth, 6 Oct 1976 [describing use of children and ambush groups to “search for bandits” and “contemptible traitors burrowing within the village”].

2067 See **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 14799 [Le Thithouyaing, identified as the wife of Ngao Chen Long, who was arrested from Poulo Wai island and entered S-21 on 7 February 1976], 14795 [Ngao Chen Long, “Civil Court in Prey Nokor” – also entered S-21 on 7 February 1976, the same date as his wife]. Three other prisoners with Vietnamese names who also entered S-21 on the same date as the above couple were presumably arrested at the same time and location: Nos 14796 [Daing Yaing Phou, airplane mechanic for French company], 14797 [Le Min Try, Lieutenant and former medical student], 14798 [Vit Beuy Laim, law and medical student].

2068 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592 [Daing Yaing Thann – duplicate of 14786], 593 [Yor Yang Thann], 594 [Choeng Vang Ly], 596 [Yor Yang Dang], 597 [Choeng or Troeng Yang Kve – duplicate of 14782], 602 [Vie Yav], 606 [Phaim Yang Thoeng], 607 [Chang Chin-Eung], 612 [Le Yang Ngie], 625 [Taing Ngok Hong], 651 [Seun or Yeun Thaing Lay], 652 [Chang Yang Loem], 653 [Dang Yang Tha], 663 [Kim Ngok Teu or Troeng – duplicate of 14784], 676 [Chaing Yang Hev], 678 [Le Yaing Hay], 13431 [Chim Yang Keu], 13432 [Le Yang May], 13433 [Le Yang Phoeuk alias Chim Yang Koeng], 13434 [16-year-old Ngvieng Din-Y], 13436 [female Ngvieng Thithoeung], 13437 [Ngvieng Hour Lang], 13642 [Chaing Thann Hoeung – duplicate of 14783], 13643 [Le Thakk Leuy], 14785 [Pham Yaing Thann]. See also **D114/277.7** Kaing Guek Eav, T. 16 Jun 2016, 10.38.56-10.41.52 [regarding Vietnamese fishermen sent to S-21: “After they were sent to S-21, the decision was made by the upper echelon that they were spies”]; **D98/3.1.91** Kaing Guek Eav, T. 10 Jun 2009, 09.38.48-09.40.49 [“the upper echelon would tell us to classify them as the Vietnamese spies”].

2069 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 600 [Lak], 604 [Saruom], 609 [Sam Lauy], 613 [Pak Phann], 614 [Lek], 615 [Soet Sit], 616 [Ty Nat], 620 [A Nop], 628 [Phann Samu], 629 [Intry], 645 [Mung Khun], 646 [Bun Lieng], 649 [Sam Khit], 650 [Thaim Malak], 679 [Chann Som], 680 [Srit Kav], 12981 [Cha Rieng], 12983 [15-year-old boy Latt Komar or Siraphann, who worked as a plate cleaner on the *Harin Phanich* fishing boat], 12984 [Moun Sun Charaen alias Tai, captain of *Seri Chhaok 5* fishing boat], 12985 [Manaok Chuy Chem Sai], 12987 [Pheng Chann Sen], 12988 [15-year-old boy Lauy or Raoy Laot Nokrase], 12989 [Vichhey Amphva Nann], 12999 [Vi Chhai alias Phung], 13001 [Sophann Pavong Sa], 13002 [Charoun Nokrase], 13005 [Sam Sy An Chhavieng], 13006 [Sa Hatt alias Peak], 13023 [Chhut Ta or Sota Prong Reno], 13031 [16-year-old boy Yut Phong Saim Ran], 13052 [Chhaet Im Thang], 13053 [Det Den Nen Yim], 13055 [Kovit], 13645 [Bun Try], 13653 [Khoem]. Eight other prisoners arrested at sea do not have entry dates in the OCIJ S-21 Prisoner List, but can be identified as part of the same group of Thais sent to S-21 on 7 May 1976 based on the name of the fishing boat on which they were captured and their “TH” Tuol Sleng confession number: Nos 14696 [Khaim Sireak Phann, *Harin Phanich* Fishing Boat 67], 14697 [Kav Sing, *Seri Chhaok 5* fishing boat], 14698 [67-year-old Luom Sambuon, *Seri Chhaok 5* fishing boat], 14699 [Mon Try Sichhanakk, *Harin Phanich 67* fishing boat], 14700 [Prasat Lorp Kaet, captain of *Harin Phanich* fishing boat], 14701 [Sambun Set Bopha, *Seri Chhaok 5* fishing boat], 14702 [Thoam Rat Kephang, *Harin Phanich 67* fishing boat], 14703 [La Sim Kha, *Seri Chhaok 5* fishing boat]. See also **D1.3.3.2** S-21 Execution List, EN 00874374-76 [Nos 1-31 are Thai fisherman sent to S-21 on 7 May 1976], 00874558-60 [Nos 251-284].

2070 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 588 [Hem San alias Nem, Division 1], 590 [Ouch Sarin, team chief, Division 3], 601 [Mit Met alias Mon, Division 1 or 2 combatant], 611 [Chum Sot, unit chief in Divisions 1 & 3], 667 [Mai Phatt, Division 3 combatant], 675 [Chhai Deng, team chief in Divisions 1 & 3], 4168 [Kim Yung alias Yul, Division 3 medic].

- 2071 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 655 [Chi or Cheu Lien, wife of former private Sieng Troeng, OCIJ 8223], 670 [Troeng Sary alias Sarom, Navy private], 1576 [Hour Khuy, private], 6650 [Phann Prakk, private], 8223 [Sieng Troeng, private], 13616 [Um Ven, wife of non-commissioned officer].
- 2072 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 587 [Sen Pin, youth from Sector 33], 610 [Suos Prin, boat construction worker], 618 [Yoeung Thok, student], 634 [Ung Phan, student from Kang Keng], 635 [Phai Sovann alias Ngim, fisherman from Or Treh], 636 [Tuon Moeun, coconut farm worker from Ream], 637 [Kao Kim Ly alias Try, student and fishery worker from Or Treh], 639 [Chhun Huoy alias Ky, New Person and former taxi driver], 641 [Chann Suon, farmer], 642 [Chen Nhim, salt field worker], 661 [Sopha Phally, barmaid and vegetable seller from Prey Nop], 664 [Un Sary alias Chann, New Person and fishery worker from Ream], 674 [Nhem Yaim alias Saret, driver], 681 [Tit Chom, fishery worker from Or Treh], 682 [Keo Choeun, "Doing Ricefield" child spy], 2249 [Khim Baraing, fishery worker/soldier], 5025 [Moul Vandy, New Person who worked in "art performance"], 5465 [Noem Nan alias Sarin, New Person and fishery worker], 6390 [Un Horn, fisherman], 10590 [Samrit Chakk, New Person and coconut farm worker], 11611 [Trel Soem, fisherman from Or Treh], 12616 [Pet Try, railway worker], 13823 [female Yin Pring], 13873 [Yun Yan alias Yen, fishery worker].
- 2073 *See, e.g.,* **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592 [Daing Yaing Thann (duplicate of 14786) - arrested at sea on 12 December 1975 and detained in Toek Sap until his transfer to S-21], 663 [Kim Ngok Troeung (duplicate of 14784) - arrested December 1975 on Bat Island, then detained at Toek Sap until his transfer to S-21], 678 [Le Yaing Hay - arrested at sea in December 1975], 12981 [Cha Rieng - arrested December 1975 on Thas Island], 12988 [15-year-old Lauy or Raoy Laot Nokrase - arrested 26 December 1975], 12989 [Vichhey Amphva Nann - arrested in Rong Island on 21 December 1975], 12999 [Vi Chhai - arrested 6 September 1975 on Tang Island], 13002 [Charoun Nokrase - arrested 9 December 1975 on Thas Island], 13005 [Sam Sy An Chhavieng - arrested 6 September 1975], 13006 [Sa Hatt - arrested on 6 September 1975 between Tang and Poulowai islands], 13023 [Chhut Ta or Sota Prong Reno - arrested 21 December 1975 on Kapi Island], 13031 [16-year-old Yut Phong Saim Ran - arrested 6 September 1975 on Tang Island], 14783 [Choeng or Chaing Thann Hoeung (duplicate of 13642) - arrested at sea on 12 December 1975], 14785 [Pham Yaing Thann - arrested at sea on 12 November 1975 and detained in Toek Sap until his transfer to S-21]. The information regarding the location and date of these prisoner's arrests is primarily found in the Remarks and/or Arrest Date columns of the OCIJ S-21 Prisoner List.
- 2074 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12984 [ship captain], 13001, 14697, 14698, 14701, 14703.
- 2075 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12983 [15-year-old child who worked as a plate cleaner on that fishing boat], 12985, 12987, 13052, 13053, 14696, 14699, 14700 [ship captain], 14702.
- 2076 **D114/66** Chet Bunna WRI, A11-12, 19 [Regiment 63 Commander Chorn and Deputy Nhann in charge of Toek Sap prison]; **D114/156** Soeng Noch WRI, A137-138, 146, 249; **D54/41** Or Saran WRI, A21 [Regiment 63 headquarters located in Toek Sap]; **D54/20** Sam Saom WRI, A10, 12 ["Toek Sap prison] was under the command of Division 164 Commander Meas Mut. [...] A12: [...] some prisoners were sent to [Toek Sap] temporarily before being sent to Phnom Penh"].
- 2077 *See, e.g.,* **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592 [Daing Yaing Thann - arrested at sea on 12 December 1975 and detained in Toek Sap until his transfer to S-21], 663 [Kim Ngok Troeung - arrested December 1975 on Bat (Prachiev) Island, then detained at Toek Sap until his transfer to S-21], 14785 [Pham Yaing Thann - arrested at sea on 12 November 1975 and detained in Toek Sap until his transfer to S-21]. *See also* Nos 600, 641-642, 649-650, 12987, 13031, 13052-13053, 13055 [other Kampong Som prisoners that entered S-21 on 7 May 1976, including Thai fishermen arrested in September or December 1975, who are identified as having been sent from "Tik Sap," an alternative spelling for Toek Sap]. *See also* **D114/145.2.15** S-21 Biography of Daing Yaing Thann, EN 01396238; **D114/145.2.14** S-21 Biography of Pham Yaing Thann, EN 013168091; **D114/145.2.12** S-21 Biographies of Kvieng Thy Thoeung, Kvieng Hiv Lang, Choeng Thann Hoeung [believed to be OCIJ S-21 Prisoner List, Nos 13436, 13437 & 14783 - Vietnamese who were part of the group sent from Kampong Som to S-21 on 7 May 1976]; **D114/145.2.13** S-21 Biographies of Le Yaing Hay, Kim Ngok Toeung [OCIJ S-21 Prisoner List, Nos 678 & 663]; **D114/145.2.11** S-21 Biographies of Troeng Yaing Kve, Chim Yaing Keu, Chim Yaing Yop, Chim Yaing Koeng, Kvieng Din Y [OCIJ S-21 Prisoner List, Nos 13431, 13432, 13433, 13434, 14782].
- 2078 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12983, 12988, 13031, 13434
- 2079 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592-593, 596-597, 600, 604, 609, 613, 615-616, 620, 625, 645-646, 649-650, 653, 663, 676, 679-680, 12981, 12983-85, 12987-88, 12999, 13001-02, 13005-06, 13023, 13031, 13052-53, 13055, 13432-34, 13436-37, 13642-43, 13645, 13653; **D1.3.3.2** S-21 Execution List, EN

00874374-76 [Nos 1-31 are all Thai fisherman sent to S-21 on 7 May 1976 and executed 24 May 1976], EN 00874558-59 [Nos 234-284 are 17 Vietnamese and 34 Thai sent from Kampong Som on 7 May 1976 and executed on 24 May 1976].

2080 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 453 [Chhim Sopheap alias Thy, private – entered 29 May 1976], 685 [Sen Saroeun alias Seng, private – entered 29 May 1976], 691 [Neou Kuch alias Phan, police chief – entered 21 August 1976, died of disease 14 September 1976], 692 [Sy Taisrong, Lieutenant – entered 21 August 1976, died of disease 8 September 1976], 693 [Tin Kim Hong, Lieutenant – entered 21 August 1976, died of disease 24 August 1976], 694 [Khieu Vann Than, Captain – entered 21 August 1976], 695 [Kim San, Lieutenant – entered 21 August 1976], 696 [Nan Khnakk, Major Lieutenant – entered 21 August 1976, died of disease 12 September 1976], 697 [Aim Vong, Lieutenant – entered 21 August 1976], 698 [Kim Vong, Lieutenant – entered 21 August 1976], 1404 [Sieng Sok alias Than, identified as “Khmer Sa, Bandit” and former private at Pochentong – entered 1 June 1976, executed 14 July 1976], 6601 [Pech Chenda, Captain – 29 May, 7297 [Pen Sarit, identified as “Motor Taxi and Bandit (Soldier)” – entered 5 or 29 May 1976, executed 14 June 1976], 13182 [Um Chheng Huot, chief of Tax Office – entered 28 or 29 May 1976, executed 14 July 1976], 13659 [Svit Hem, corporal – entered 16 January 1976, executed 23 May 1976]. *See also Annex D.8.*

2081 *See Annex D.1* including **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13333 [Man Mien, identified as a combatant of Kampong Som military Unit 808 – entered 5 April or May 1976, executed 14 July 1976], 13343 [Ouch Khorn, combatant of Unit 530 – entered 16 March 1976, executed 14 July 1976], 13373 [Prakk Saroeun, combatant of Unit 480, Division 3 – entered 2 January 1976, executed 31 August 1976]. As with the other group identified as Division 3 soldiers, these prisoners are most likely to have been Division 164 cadre at the time of their arrest.

2082 *See Annexes D.8, D.9 and D.10* including **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 660 [Pok Nget, female fishermen from Or Treh – entered 7 May or 1 June 1976, executed 11 June 1976], 683 [Teng Phat alias Vut, crab seller – entered 20 May 1976], 684 [Sok Muoy alias Chy, female crab seller and former tailor – entered 20 May 1976], 690 [Un Soeun, youth – entered 8 August 1976], 699 [Uy Leng alias Mann, fishery worker – entered 28 August 1976, died of disease 2 September 1976], 700 [Lim Huot, fishery worker – entered 28 August 1976, died of disease], 701 [Saing Keat, fishery worker – entered 28 August 1976], 702 [Kin Va, mechanic – entered 28 August 1976, died of disease 3 September 1976], 703 [Nhay Pheng, fishery worker – entered 28 August 1976, died of disease 23 September 1976], 708 [Sok Vanna, mobile unit – entered 8 October 1976], 714 [Em Met alias Vin, group chief – entered 17 October 1976], 1281 [Mouv Hoeung, Sector 33 youth – entered 4 March 1976 or 15 December 1975, executed 14 July 1976], 1755 [Haing Chheng, deputy team chief – entered 17 October 1976], 2109 [It Sorn alias San, team chief, entered 9 or 10 October 1976], 3645 [Kung An, identified as “former prisoner” – entered 30 March or 2 April 1976], 4856 [Yuth Oeung alias Yan, platoon chief at refinery factory – entered 29 June 1977], 5305 [Hong Nun, platoon chief at sea fishery – entered 6 July 1977], 5306 [E Sao, combatant of “Regiment 44 Economics” – entered 19 July 1977], 5555 [Nhep Suong alias Phann, deputy chief of fishery unit – entered 21 or 22 October 1976], 5911 [Nouch Tim, housewife of fisherman – entered 7 May or 1 June 1976, executed 11 June 1976], 6168 [Um Tha, identified as wife of bandit Thach Thoam (No. 12739) – entered 11 February or 5 April 1976, executed 23 May 1976], 6172 [Um Thim alias Prum, bandit – entered 5 or 6 April 1976, executed 27 May 1976], 8472 [Sok Chuon, Kampong Som Electricity worker and alleged bandit in Sector 37 – entered 10 or 16 March 1976], 12739 [Thach Thoam, alleged bandit – entered 16 January 1976, executed 8 July 1976], 12766 [Ty Liseng alias Thung, chief of reception office – entered 7 November 1976], 13571 [Tieng Mitt, Kampong Som worker – entered 5 November 1975 or 8 January 1976, executed 27 May 1976], 13604 [Uk Khorn, worker – executed 23 May 1976], 13824 [Sam Hy alias Samen, logistics engineer – entered 10 September 1975], 13825 [Uk Chhorn, ship worker – entered 11 January 1976], 13829 [York Yin, alleged bandit – entered 5 April 1976].

2083 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 691-698.

2084 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 754 [Ouch Hel, old railway worker – entered 4 October 1976], 844 [Oeng Vann, wife of Pao Samet (No. 7613) – entered 27 December 1976], 845 [Uk Siep, wife of Yim Dam (No. 13583) – entered 27 December 1976], 846 [Taing Kim Lean, wife of Chham Khan (No. 849) – entered 27 December 1976], 849 [Chham Khan, old railway worker and husband of Taing Kim Lean – entered 27 or 28 December 1976, executed 28 January 1977], 3685 [Khieu Chhoeun, railway worker – entered 30 September or 4 October 1976], 4527 [Ly Sroeun – entered 10 June 1977], 7613 [Pao Samet, old railway worker and husband of Oeng Vann – entered 27 December 1976], 13395 [Veu Voet, railway worker

- entered 4 or 15 October 1976], 13583 [Yin Daim, old railway worker and husband of Uk Siep – entered 27 December 1976].
- 2085 **D1.3.34.60** Telegram from Mut (Meas Muth) to Mo-870, 31 Dec 1977.
- 2086 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13474 [Vu Dinh Ngor, a Major Sergeant and former Thieu Ky marine from Vietnam, who entered 3 or 9 January 1978 - confession VN167].
- 2087 **D114/277.4** Kaing Guek Eav, T. 13 Jun 2016, 15.00.14-15.04.30 [“Vu Dinh Ngo who was a former Thieu-Ky soldier and who was the first ‘Yuong’ soldier [...] arrested by Khmer soldiers [...] When Vu Dinh Ngo arrived, I received an order from Brother Nuon regarding the audio recording of the confessions”].
- 2088 **D1.3.26.5** BBC-SWB, *Confession of a Captured SRV Sailor*, 29 Jan 1978, EN S 00008894-96 [radio broadcast of “confession by (Vu Dinh Ngo), former midshipman of the Thieu-Ky puppet navy, who was captured on 3rd January 1978”]; **D64.1.40** FBIS, *Confession Cites SRV Attempt to ‘Liquidate’ Cambodian Leaders*, 29 Jan 1978, EN 00169681-82 [“confession by captured Vietnamese sailor (Vu Dinh Ngo)”].
- 2089 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 9888 [4-star Lieutenant Troen Vann Thoeung]; **D64.1.38** FBIS, *Confession Reveals SRV Plan to Annex Takeo Province*, 12 Feb 1978, EN 00169232-36 [DK radio broadcast of confession of Tran Van Thuong, “who was captured on 18 January in the Cambodian sea”].
- 2090 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 14728 [Taing Ngok Tay, 1-star Corporal in Sea Defence, Phu Quoc island – arrested at sea on 24 January 1978], 14816 [Troeng Dan Hong alias To, “Security in Koh Tral (Phu Quoc)” – arrested at sea off Poulowai Island on 25 January 1978].
- 2091 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8403 [1-star Corporal Tiev Lok – executed 27 March 1978], 8400 [3-star Corporal Daing Vin Khoey – entered 13 February 1978, executed 27 March 1978], 13488 [Ngou Yaing Laey, fisherman and one-star Corporal – entered 14 February 1978, executed 28 April 1978], 8257 [2-star Lieutenant Sam Kim – entered 14 or 21 February 1978], 13469 [Loeung Kong Vay, fisherman and 2-star Lieutenant – entered 9 or 14 February 1978]. *See also* **D64.1.38** FBIS, *Confession Reveals SRV Plan to Capture Cambodian Islands*, 21 Feb 1978, EN 00169276-77 [DK radio broadcast of confession of Thieu Loc, “captured on 1 February in the Cambodian sea”]; **D64.1.41** FBIS, *Radio Carries Confession of Cambodian-Speaking SRV Spy*, 16 Mar 1978, EN 00169934-36 [DK radio broadcast of confession of lieutenant Sam Kim, captured “on 14 February 1978 on Cambodia’s Koh Pring Island”].
- 2092 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8689 [3-star Corporal Laim Vuk Tin – entered 13 or 20 March 1978], 13458 [1-star Lieutenant Ngieng Thanh Kvang – 13 March 1978], 13463 [2-star Lieutenant Vinh Min Chauv – 13 or 20 March 1978], 13486 [2-star Corporal Yin Hieng – 13 or 20 March 1978], 13529 [2-star Corporal Vinh Tiphoeung (duplicate of 14760) – arrested at sea on 28 March and sent to S-21 on 30 March 1978]. *See also* **D64.1.35** FBIS, *Captured Naval Officer Cites Coercion*, 10 Apr 1978, EN 00168793-94 [DK radio broadcast of confession of Vinh Minh Chau, “captured off Angkrang Island in March”]; **D10.1.68** FBIS, *Captured SRV Officer Relates Attack Plans*, 5 Jun 1978, EN 00169799-800 [DK radio broadcast of confession of lieutenant Nguyen Thanh Quang “captured in Cambodian waters on 13 March”], *Confession of Spy Sergeant Captured 29 March Reported*, 29 Jun 1978, EN 00169865-66 [DK radio broadcast of confession of Vinh Tu Phuong, “captured by Cambodian forces off Poulo Wai in March”].
- 2093 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8164 [boat mechanic Leng Ngon alias Ngvieng Yang Thin], 8165 [Vann Than alias Meng, “Fleeing to Vietnam in 1970 Chinese”], 8166 [Chinese fisherman Chav Ngy from Vietnam], 8167 [Khmer Krom fisherman Chiv Lok].
- 2094 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8401 [17-year-old Trin Vin Hong – entered 11 February 1978, executed 27 March 1978], 8405 [15-year-old Loeung Minh Tun Hay – entered 16 February 1978, executed 27 March 1978].
- 2095 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8402 [Troeng Vann Thanh, “Vietnamese spy” – executed 27 March 1978], 8406 [Thach Tep – executed 27 March 1978], 13483 [Ngvieng Yaing Naim, fisherman – executed 28 April 1978].
- 2096 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8250-8256, 8258-8263, 8407-8409.
- 2097 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8255 [16-year-old Te Kok Hour], 8258 [15-year-old Leang Ming Tung Ngai], 8408 [16-year-old Trinh Vok Hour – executed 27 March 1978].
- 2098 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8271 [Dorng Min Chen – entered 24 February 1978], 8272 [Ngvieng Yang Rou - entered 24 February 1978], 8410 [Ngieng Vann Rou - entered 24 February 1978, executed 27 March 1978], 13895 [Vith Thimung - entered 10 March 1978], 13896 [Ngvieng Yaing Kok - entered 10 March 1978].
- 2099 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14758 [Trin Ngok Phoeng – arrested at sea in March 1978].
- 2100 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13917 [mechanic Choeng Torn], 13918 [paper seller Choeng

- Toeng Yung], 13919 [bean seller Li Hok], 13920 [watch repairman Thay Chin Toeung], 13921 [dessert seller Voeng Thouk Cheu], 13922 [electrician Oeuk Tvien Ten], 13923-13925 [fishermen Ngvieng Yaing Hiv, Ngvieng Yaing Ba & Ngvieng Yaing Toeng], 13926 [rice farmer Ngvieng Yaing Taim], 13927 [grocer Choeung Thann], 13928 [clothes-maker Cheng Yveu Pheng], 13929-13930 [sellers Chen Ngok Fong and Troeng Ann - both women], 13931 [female cake seller Chauv Toukoem].
- 2101 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13912 [40-year-old female Te Siv Kheng], 13913 [Phou Phong Te], 13914 [Y Sam-At], 13915 [Iev Hat Hort], 13916 [Oeng Meng Hong].
- 2102 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8982-8984, 8987-8990, 8992-8994, 9899-9900, 13007 [duplicate of 14761], 13008-13012, 13013 [duplicate of 14792], 13014-13020, 13453, 13532-13533, 13535. All but one of those from this group who were interrogated and have confessions are noted by OCIJ as having been arrested at sea (*see* Nos 8982-83, 8988, 9899-9900, 13008, 13010, 13012-13, 13453, 13532, 13535), and those with specific dates are recorded as having been arrested on 28 March 1978, supporting a conclusion that most or all of the group of 30 Vietnamese prisoners sent from Kampong Som on 1 April were arrested at sea around the same time, including those in the group (Nos 13009-17) who are identified as being sent from Kampong Som port.
- 2103 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 9647, 9650-9653, 13541, 13543.
- 2104 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13498-13499.
- 2105 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 9857-9859.
- 2106 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 9917-9928.
- 2107 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 9920 [58-year-old car mechanic Ngvieng Nak], 9922, 9924-9925 [two 16-year-old students], 9926-9927.
- 2108 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 10257-10262, 10264, 10265 [arrested from Poulo Wai island on 2 May 1978], 10267, 13501 [“Doing Ricefield Kampuchea Krom”], 13528.
- 2109 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 10262 [14-year-old student Toeng Yaing Nhien].
- 2110 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 11872 [Phou Phung Chin, fisherman], 11873 [Chhin Ayseth, medical staff], 11874 [Ky Khun, rice farmer], 11875 [Troeng Heng, fish seller], 11877 [Taing Seng Va, fisherman], 13446 [Lao Yiev Kung, farmer].
- 2111 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 14820 [49-year-old male Trin Vann Long – confession VN186]; **D64.1.45** FBIS, *Confessions of Vietnamese Spy Captured on Poulo Wai Island*, 17 Oct 1978, EN 00170273-74 [DK radio broadcast of confession of “Vietnamese POW Tran Van Long, captured on 2 September 1978 at Poulo Wai Island” and identified as 49 years old].
- 2112 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12490-12498.
- 2113 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12496 [Ngvieng Kong Vieng].
- 2114 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12653-12656.
- 2115 **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 10.11.25-10.14.20 [Westerners sent to S-21 were “arrested by the navy officers of Division 164, and they were sent through Kampong Som”]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147526-27 [Caucasians detained and executed at S-21 had “entered Cambodian waters, and the naval unit arrested them and sent them”]; **D1.3.33.4** Kaing Guek Eav WRI, EN 00198221; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.44.37 [“There were Vietnamese, American and Australian prisoners whom I used to see”]; **D4.1.742** Nhem En WRI, EN 00401827 [former S-21 cadre photographed “people of other nationalities brought in from the sea” who were “big, had sharp nose” and beards]; **D114/302** Kung Pai WRI A73-85 [describing two American prisoners brought to S-21 in 1978 who were interrogated by Duch and taken out for execution after their interrogation, and identifying photographs of prisoners]; **D114/301** Chhun Phal WRI, A62-69; **D114/132** Mao Ran WRI, A196-199 [describing yacht captured by DK navy]; **D2/15** Touch Soeuli WRI, A1, 8 [describing foreigners brought to Ochheuteal pier by Division 164 soldiers]; **D37** Robert Hamill WRI, EN 00791867 [admission of Meas Muth that foreigners arrested at sea were “transferred to S-21”]; **D88.1.17** David Kattenburg, *Foxy Lady*, EN 00916182 [summarising Stony Beach interviews of former Division 164 cadres re capture of foreign yachts].
- 2116 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13021 [Lee McNamara], 13022 [James Clark]; **D88.1.17** David Kattenburg, *Foxy Lady*, EN 00916181-85 [includes photo of Clark’s S-21 confession and quote from US intelligence report describing an intercepted DK communication: “On the 23rd the 164th coastal defence division ordered the Koh Kong coastal authority to order all personnel not to speak at all of the American captured”], EN 00916143 [photograph of McNamara and Clark in Hawaii before sailing for Southeast Asia].
- 2117 **D11/2.3** S-21 Confession of John Dawson Dewhirst (excerpt); **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 15.39.11 [Westerners at S-21 included 1 British prisoner and 1 New Zealander]; **D98/3.1.93** Kaing Guek

- Eav, T. 15 Jun 2009, 11.57.43-12.01.43 [Duch personally met British prisoner, who was detained separate from Khmer prisoners, before he was tortured], 13.48.37-13.51.45; **D98/3.1.42** Robert Hamill, T. 17 Aug 2009, 14.11.20-16.21.18; **D37** Robert Hamill WRI; **D88.1.17** David Kattenburg, *Foxy Lady*, EN 00916033, 00916203-05, 00916235 [photo of Kerry Hamill's 13 October 1978 confession], 00916142 [photo of Kerry Hamill on Foxy Lady]; **D11/2** Rob Hamill CPA.
- 2118 **D54/4.1** S-21 Confession of Ronald Keith Dean, 21 Nov 1978; **D54/4.2** Summary Report by Chann on S-21 Confessions of Ronald Keith Dean, Michael Scott Deeds and Christopher Edward Delance, 4 Jan 1979; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.47.53; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 15.39.11 [Westerners at S-21 included Australians]; **D4.1.245** Prak Khan WRI, EN 00161555-56 [witnessed Duch personally interrogate and kick an Australian or American prisoner named David Scott]; **D88.1.17** David Kattenburg, *Foxy Lady*, EN 00916219-20, 00916237-38 [photos of Dean's 21 November 1978 confession and David Lloyd Scott's 12 December 1978 confession].
- 2119 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12719 [Christopher Edward Delance], 12720 [Michael Scott Deeds]; **D1.3.28.140** S-21 Prisoner List, 26 Nov 1978, EN 01236389 [No. 1 - Christopher Edward Delance, No. 2 - Michael Scott Deeds]; **D11/4.2.4** S-21 Confession of Michael Scott Deeds; **D54/4.2** Summary Report by Chann on S-21 Confessions of Ronald Keith Dean, Michael Scott Deeds and Christopher Edward Delance, 4 Jan 1979; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 15.10.43 ["The Americans were arrested and detained by the navy at the coast of Kampong Som"]; **D88.1.17** David Kattenburg, *Foxy Lady*, EN 00916222 [Delance and Deeds arrested on yacht named *Iwalani*]; **D11/4.2.1** Timothy Scott Deeds CPA, EN 00741650-58
- 2120 *See, e.g.*, **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.35.51-09.41.29; **D54/63** Moeng Vet WRI, A2 [describing meeting at which Meas Muth stated he had purged the local military leaders because they were "not resolute in fighting the Vietnamese"]; **D4.1.810** Seng Soeun WRI, A35-36; **D114/169** Seng Soeun WRI, A27-30 [Meas Muth ordered the execution of the Kratie Sector Commander]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992993-94, [meeting at which Meas Muth "announced the traitors," including his own nephew, Division 117 Secretary Rom].
- 2121 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13396 [Meas Moeun, Sector 505 Secretary – entered 8 December 1978]; **D1.3.28.137** S-21 Interrogation Log for Special Prison [No. 15]. *See also* **D114/216** Meas Im WRI, A34-43; **D114/101** Em Sarin WRI, A15-18 [witness told by Meas Moeun he had been called to go to Phnom Penh]; **D114/170** Prum Mon WRI, A42.
- 2122 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 1039 [Chhim Khon, Sector 505 Deputy Secretary – entered 2 December 1978]; **D1.3.28.137** S-21 Interrogation Log for Special Prison [No. 4 – recording that his interrogation was "Finished"].
- 2123 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12903-12904 [both entered 12 December 1978 and were executed 31 December 1978]; **D1.3.28.146** S-21 Prisoner List, December 1978, EN 00789507, KH 00086832 [Nos 10-11]; **D4.1.810** Seng Soeun WRI, A35-36 [witnessed Kratie District Secretary Yeng and Snuol District Secretary Phoan "put in the plane" and taken away to Phnom Penh to be executed, and was told by Meas Muth that "those people were purged"]; **D114/101** Em Sarin WRI, A20-28 [organized flight that took Yeng and Phoan to Phnom Penh]; **D54/62** Moeng Vet WRI, A24, 32-33 [Kratie cadres ordered to Phnom Penh included his uncle (Snuol District Secretary Phoan) and Kratie District Secretary Yeng]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992992-95.
- 2124 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 4032 [Khun Rum, Division 117 Secretary – entered 8 December 1978], 7862 [Roat Leang, Division 117 Deputy Secretary – entered 1 December 1978], 8471 [Svay Naunh, Chief of Division 117 Office – entered 1 December 1978]; **D1.3.28.137** S-21 Interrogation Log for Special Prison [Nos 6, 8 & 18 – recording that Svay Naunh was undergoing interrogation by Tit]. *See also* **D114/52** Cheang Chuo WRI, A2-6, 28-34 [describing purge of Division 117, including leaders Rum and Leang, after its forces were forced to retreat by the Vietnamese army in October 1978], A39-42 [responsibility of Meas Muth for reorganisation of Division 117]; **D88.1.5** Seng Soeun DC-Cam Statement, EN 00753844-45, KH 00059337-38 ["Q: Who was nominated after Rom was arrested? A: Ta Nhan was assigned to replace him temporarily. Nhan was in the navy division 164. [...] Rom was Bang Meas Muth's nephew"]; **D54/62** Moeng Vet WRI, A24, 29 [letter from Office 870 ordering Rom to Phnom Penh was delivered by messengers of Meas Muth]; **D54/63** Moeng Vet WRI, A1-3 [meeting at which Meas Muth announced Nhan was replacing Rom as commander of Division 117]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992992-95; **D114/170** Prum Mon WRI, A19-21, 32-40 [interview of wife of Khun Rum stating his arrest was ordered by Meas Muth because of disagreement on military strategy].

- 2125 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 3979 [Kel Sophan alias Phan, Secretary of Regiment 15, Division 117 – entered 14 December 1978, executed 31 December 1978], 893 [Chap Hoeun, Secretary of Regiment 81, Division 117 – entered 9 December 1978, executed 31 December 1978], 12895 [By Ry, Secretary of Regiment 82, Division 117 – entered 9 December 1978, executed 31 December 1978]; **D1.3.28.141** S-21 Interrogation Log, Dec 1978, EN 00789707-08 [Nos 2, 3, 5]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992994-95 [cadres who were arrested and sent by plane to Phnom Penh included Regiment Commander Phan].
- 2126 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12905 [Pin Yim, chief of Thmei commune], 12906 [57-year-old Bien Lun], 12907 [Sek Norm, cattle chief in Sambok cooperative], 12908 [63-year-old Moeng Soeng alias Sen], 12909 [Hang Hon], 12910 [Yim Yorn, platoon member in Snuol rubber plantation], 12911 [Yav Pho], 12912 [Suon Yut alias Yea, battalion combatant], 12913 [60-year-old Chhor Khim], 12914 [Nhil Sam, Sambok commune chief], 12915 [Mien Phorn], 12916 [Nun Yuth, deputy secretary of Thmei commune], 12917 [Mop Bin alias Sokha, Snuol District Hospital economics chief], 12918 [In Kim Hao, Committee Member of Commune 100], 12919 [Khuon Kim Sut], 12920 [Chai Chroek alias Sambatt], 12921 [Ke Thon], 12922 [Mei Koeun alias Sitha], 12923 [Kaup Him], 12924 [Yun Teng, Sambok commune plowing chief], 12925 [Tuy Sean, platoon chief], 12926 [Chann Yoeun, platoon chief]; **D1.3.28.146** S-21 Prisoner List, Dec 1978, EN 00789508-10, KH 00086833-34 [Nos 1-22 in List of Prisoners from Sector 505].
- 2127 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13981-13986.
- 2128 See Annexes **D.1-D.10**.
- 2129 **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940346-52 [recording Meas Muth's "total agreement" with the Party on the need to identify and purge "no-good elements or enemies" opposed to the revolution who were "still camouflaged and infiltrated in the rank and file"]; **D1.3.27.26** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977. See also **D1.3.34.60** Telegram from Mut (Meas Muth) to Mo-870, 31 Dec 1977 [vowing to be in "total unity" with the Party and to "[sweep] cleanly away and without half-measures the uncover[ed] elements of the enemy"].
- 2130 See, e.g., **D1.3.27.26** DK Military Meeting Minutes, *Minutes of Division Secretaries Meeting*, 1 Mar 1977, EN 00933834 [Division 502 Secretary Met: "More than 50 no-goods have been sent to S-21"], 00933836 [new Division 450 chief Yan: "Maybe 600 persons are elements who must be removed"]; **D1.3.27.20** DK Military Meeting Minutes, *Minutes of Division Secretaries Meeting*, 9 Oct 1976, EN 00940339 [Division 502 Deputy San: "More than 80 elements with political tendencies have already been removed"], 00940346 [Division 170 Secretary Sokh: "Division 170 has purged 70 no-good elements"].
- 2131 The OCIJ S-21 Prisoner List (**D114/230.1.1**) identifies the following numbers of prisoners as "Arrested From" the other divisions, regiments and offices that comprised the RAK and whose leaders participated with Meas Muth in the Division Secretaries meetings: Division 170 – 403 S-21 prisoners; Division 290 – 441 prisoners; Division 310 – 1,117 prisoners; Division 450 – 509 prisoners; Division 502 – 357 prisoners; Division 703 – 676 prisoners; Division 801 – 35 prisoners; Division 920 – 395 prisoners; Regiment 152 – 291 prisoners; Regiment 377 – 53 prisoners; Regiment 488 – 77 prisoners; General Staff – 453 prisoners.
- 2132 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.14.32-14.16.43; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 09.39.10-09.41.12; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 09.56.58-10.03.45; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.52.39-15.53.57; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 10.02.19-10.04.38, 10.13.34-10.16.04, 10.19.54-10.21.58; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 09.56.18-09.58.48; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 10.14.20-10.18.40, 10.24.05-10.26.35 ["the people who went out to receive prisoners [...] brought with them some shackles or handcuffs and pieces of cloth to blindfold the prisoners"]; **D4.1.1115** Kaing Guek Eav WRI, EN 00147602; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.51.49-09.59.13; **D4.1.388** Vann Nath WRI, EN 00163737-38 ["They handcuffed us together in pairs, released the shackles [...] Then they blindfolded us and put a rope around our necks and led us inside (Drawing 6)"], 00163746 [Drawing 6]; **D1.3.32.21** Kok Sros WRI, EN 00705429; **D10.1.29** Meas Peng Kri WRI, EN 00163706 [describing transport of prisoners from Battambang to S-21: "Their arms were tied behind their backs, and they were blindfolded [...] I drove them to the entrance, and the guards took the prisoners inside"]; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198000-01.
- 2133 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 14.06.06-14.08.44 ["they were still blindfolded and cuffed [...] when they arrived at my place"]; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 14.27.44-14.31.30.
- 2134 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 14.10.17-14.12.50; **D234/2.1.110** Lach Mean, T. 25 Apr 2016,

- 14.24.42-14.26.19; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.00.05-10.03.23 [stating that after registration he was “pushed inside” a cell and his “ankle was shackled”]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 10.13.34-10.16.04; **D1.3.32.22** Kok Sros Statement, EN 00164564; **D4.1.388** Vann Nath WRI, EN 00163737 [“After being photographed, they blindfolded me again and led me upstairs in what is Building D today, and they put me in a long common shackle”]; **D4.1.386** Iem Horn WRI, EN 00401856 [“I was the one who took the prisoners to the room, untied their blindfold, shackled them and then took off the handcuffs”].
- 2135 **D114/35.3** David Chandler, *Voices from S-21*, EN 00192714 [“The number of prisoners at S-21 varied, reflecting the waxing and waning of the purges that swept through DK from mid-1976 onward [...] The prison’s maximum capacity, reached in 1977, was around 1,500 prisoners”].
- 2136 **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 11.27.07-11.31.16 [“Building C, D, and B were the [...] detention buildings”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.06.20-14.07.32, 14.24.42-14.26.19 [“There were three main buildings to detain prisoners”]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.44.06-10.48.08 [detained in Building C]; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.03.39-15.08.04; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198000-02, 00198005-06.
- 2137 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.24.42-14.26.19 [detention buildings contained both small cells for individual prisoners and large common rooms]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.00.05-10.03.23 [cell in which he was initially detained was approximately one and a half by two metres], 10.44.06-10.48.08 [after detention in the small cell, he was placed in a “big room” in Building C that held around 40 other detainees], 11.16.50-11.18.25; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 09.51.17-10.00.15; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 14.19.52-14.22.54; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.29.33-09.32.45; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198005 [Vann Nath detained in a large cell on “top floor in building D” in which “the number of prisoners varied between 40 and 60”]; **D4.1.344** Lach Mean WRI, EN 00363554 [“The north building in the middle level had large cells where they placed prisoners in long iron leg shackles. The middle building had small cells, both on the middle floor and the lower”].
- 2138 **D98/1.2.18** Kaing Guek Eav, T. 26 Mar 2012, 15.53.05 [“when it comes to important prisoners, the prisoners would be kept at the special prisons”]; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 15.37.06-15.39.11 [foreigners and Vietnamese prisoners of war detained and interrogated at the special prison]; **D98/1.2.19** Kaing Guek Eav, T. 26 Mar 2012, 09.17.20; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 10.11.27-10.32.00; **D234/2.1.117** Him Huy, T. 5 May 2016, 10.08.03-10.32.25 [important prisoners “usually” detained at the special prison]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 11.06.08-11.10.20, 15.34.42-15.37.33; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 14.38.08-14.40.11 [“important detainees would be segregated and [...] put into their special prisons”], 14.42.48-14.45.09 [“Western detainees were [...] sent to be detained straight at the special prison”], 15.50.38-15.53.42; **D54/6.1.24** Suos Thy, T. 28 Jul 2009, 10.02.17-10.04.01; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.26.19-14.28.30 [“For important prisoners, they did not want staff or guards at S-21 to see them being detained at S-21”].
- 2139 **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 11.27.07-11.31.16; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 15.37.06-15.39.11 [special prison moved to Building A “toward the second semester of ’78”]; **D234/2.1.117** Him Huy, T. 5 May 2016, 10.34.00-10.37.27; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 10.11.27-10.32.00; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 11.06.08-11.10.20; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 11.45.45-11.48.38; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 09.58.37-10.00.15 [he was interrogated in Building A]; **D4.1.247** Mam Nai WRI, EN 00164391 [“The south building between Streets 360, 143, and 350 was the interrogation site for special prisoners like [Vorn] Vet”].
- 2140 *See, e.g.*, **D1.3.28.137** S-21 Interrogation Log for Special Prison, Nos 4 [Chhoem Khon, Deputy Secretary of Sector 505], 6 [Svay Naunh, Chief of Division 117 Office], 8 [Roath Leang, Division 117 Deputy Secretary], 15 [Meas Moeun, Secretary of Sector 505], 18 [Khun Rum, Secretary of Division 117].
- 2141 **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 10.55.22-10.57.44 [“At Pohnea Yat high school, there were two levels of fences [...] as for the outer fence, it consisted of only zinc fence”]; **D234/2.1.117** Him Huy, T. 5 May 2016, 15.15.48-15.17.38, 15.22.55-15.26.03 [referencing “zinc fence”]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 13.48.12-13.51.13 [“corrugated tin fence” along the road outside S-21 was “about 50 metres away from the prison compound”]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 13.50.36-13.53.25 [describing “corrugated” fence at “outer perimeter”].
- 2142 **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 13.48.12-13.51.13 [describing inner fence “covered with barbed wire to hold the prisoners in the building”]; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 14.00.50 [“It was a barbed wire fence with corrugated iron surrounding S-21”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 10.55.22-

- 10.57.44 [describing inner fence “surrounding the prison compound” as “a wall mounted by barbed wire together with zinc”]; **D234/2.1.117** Him Huy, T. 5 May 2016, 15.15.48-15.17.38; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 14.39.24-14.43.11 [“Behind Building B and C there were a barbed wire fence”]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192681 [“The silent, malodorous site was surrounded by a corrugated tin fence topped with coils of barbed wire”]; **D114/37.1.3** [photographs showing exterior of corrugated zinc fence with barbed wire on top].
- 2143 **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 14.39.24-14.43.11 [“electricity was used on the fence to defend the building”]; **D1.3.32.22** Kok Sros WRI, EN 00164563 [“If this had happened at night, he would have been shocked by the electric fence, which was turned on after 6 pm until 6 am”]; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait*, EN 00396875 [describing his return to Tuol Sleng in August 1979: “Everything looked exactly the same as before [...] The electric fence made of corrugated iron sheets and barbed wire was still in place”].
- 2144 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.03.39-15.05.33 [“units or groups [...] were tasked to guard both inside and outside the compound”]; **D1.3.32.17** Him Huy WRI, EN 00161597; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.23.23-11.25.38; **D4.1.343** Chiem Soeur WRI, EN 00225107 [“Q: Were any prisoners able to run away? A: I did not come across any prisoner who could do so since there were three levels of guards”]; **D4.1.386** Iem Horn WRI, EN 00401856; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.09.48-10.13.47 [“Peng’s forces guarded inside; the special forces of Comrade Huy guarded outside”].
- 2145 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.02.14-15.04.26; **D4.1.344** Lach Mean WRI, EN 00363553 [“I was in the defense unit there too, guarding the prisoners in the cells”]; **D4.1.383** Ches Khiev alias Peou WRI, EN 00401849; **D114/37.1.66** Nhep Hau WRI, EN 00401788 [“Guarding inside the compound [...] Five teams guarded from 6 to 11, and another five teams continued in the afternoon”]; **D4.1.380** Chhem Chhin WRI, EN 00163793; **D98/3.1.29** Chhun Phal, T. 10 Aug 2009, 09.57.01-10.05.43; **D1.3.32.9** Chhun Phal WRI, EN 00163813-14 [“I guarded [...] in the buildings [...] There were four guard shifts; each guard stood two alternating shifts during one day and one night”].
- 2146 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 09.30.10-09.32.42 [“We had to stand guard at the gates, and we were required to open and close the door to make sure that no one could enter into S-21 freely”]; **D234/2.1.110** Tay Teng, T. 25 Apr 2016, 09.10.50-09.13.41 [witness was 200-300 metres from the centre of the prison, “guarding the main gate leading to the main building”]; **D4.1.379** Tay Teng WRI, EN 00401836; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.09.48-10.13.47 [“The special force had the following six tasks. First to guard outside the premises”]; **D1.3.32.17** Him Huy WRI, EN 00161597; **D1.3.32.22** Kok Sros Statement, EN 00164563 [“There were 100 in my group [...] they assigned each of us to guard a 5 square meter area, and we were not allowed to sit down”]; **D1.3.32.9** Chhun Phal WRI, EN 00163813.
- 2147 **D234/2.1.116** Him Huy, T. 4 May 2016, 15.15.53-15.18.40; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.09.11-09.11.13 [describing an occasion that he was “guarding outside the compound near the fire station”]; **D4.1.387** Pen Heng WRI, EN 00163694 [“I was stationed on guard in the houses southwest of Tuol Sleng where [...] they were holding prisoners”]; **D4.1.343** Chiem Soeur WRI, EN 00225105, 00225107.
- 2148 **D234/2.1.116** Him Huy, T. 4 May 2016, 15.25.45-15.27.50 [witness knew of only one case in which a prisoner escaped from S-21]; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 11.04.01-11.06.12 [witness knew of one incident in which a prisoner successfully fled]; **D4.1.343** Chiem Soeur WRI, EN 00225107; **D114/277.9** Kaing Guek Eav, T. 22 Jun 2016, 09.23.38 [first purpose of the fence surrounding S-21 compound was “to prevent prisoners from escaping”]; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.47.30-11.51.46 [“there was only one case of escape and the person went back to the unit and the unit sent back to S-21; that was from the 170th Unit”].
- 2149 **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 10.20.50-10.24.05 [“people were arrested based on the implication in the confessions”], 11.06.08-11.11.45; **D1.3.33.5** Kaing Guek Eav WRI, EN 00147584; **D4.1.191**, **D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, EN 00185023 [“the purpose of confessions was so upper echelon could analyse them and find traitors [...] so they could track traitorous networks”]; **D4.1.406** Kaing Guek Eav Written Statement, EN 00434343 [“The core work of Special Branch in that era was sending confessions to upper echelon: it was the confessions that upper echelon wanted in order to increase their suspicions and to stupidly continue arresting and killing people, their own flesh and blood”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.50.50-15.52.39 [“We were assigned to interrogate because they want to find out the strings or network of traitors”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.21.40-11.23.23 [“prisoners usually implicated others in their confessions, so we had to search for all those related people”]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.40.25-10.44.06

[surviving detainee was repeatedly interrogated and tortured about which network he belonged to, until he “fabricated” a list of names of supposed traitors], 13.44.05-13.47.18 [“[interrogators] forced me to confess and to implicate others”].

2150 **D234/2.1.116** Him Huy, T. 4 May 2016, 14.01.12-14.02.48 [when individuals were apprehended for transport to S-21, they were not informed of their rights]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.02.24-10.05.02 [“I was shocked and confused because I did not know why I was arrested and I did not know how I responded to them”], 14.11.30-14.14.18 [“I did not know what kind of bad deeds I committed [...] But then Angkar would say that Angkar had multiple eyes like the pineapple so they never made any wrong arrests”]; **D55/8.1.5** Chin Met, T. 8 Jul 2009, 14.25.19-14.28.10 [“Q: Were you told of any charges upon being arrested? A: I was not asked, I was not told anything about the charges”]; **D54/6.1.21** Nam Mon, T. 9 Jul 2009, 15.30.23-15.32.27; **D4.1.386** Iem Horn WRI, EN 00401858 [“I did not know the reason of my arrest”]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 09.53.58-09.58.48 [when transported to Tuol Sleng, he was told he was going to Vietnam to repair vehicles]; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.12.49-11.13.56; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.12.27-10.14.15 [“They [those who arrested him] did not tell me anything”, 10.12.22-10.14.15 [“those who came along with me to S-21, the majority of them did not know anything or any offence that would lead to their arrest. They were perplexed as to what happened, why they were arrested”].

2151 **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 13.45.28-13.46.51 [“In the period, the new prisoners, when they came in, were not represented by any lawyers or were not adjudicated by any judges; they were imprisoned right away without contest”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.23.04-14.24.42 [“All prisoners who were detained there, they did not have any lawyer or anyone who came to defend them”]; **D234/2.1.116** Him Huy, T. 4 May 2016, 14.08.30-14.10.11 [“prisoners who were brought in did not have any rights since they were accused of being enemies. So their rights were forfeited”]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 15.14.11-15.16.47 [“During the Khmer Rouge regime the court was non-existent. They were taken and killed. It was simply like that”]; **D114/37.1.73** David Chandler, T. 6 Aug 2009, 10.20.45-10.22.38 [“there were no laws, no judges, no lawyers, no courts in Democratic Kampuchea. There’s a Court was mentioned in its Constitution and a Judge was named head of that Court who was later purged at S-21. But no trials took place”]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192813; **D114/37.1.7** Kaing Guek Eav Interview, 4-6 May 1999, EN 00185022-23 [“under the DK, there were no courts, no prisons, no minister of justice [...] anyone who entered S-21 whether there was a confession or not, could be killed with no problem at all. So, the purpose of a confession was not a legal one, like it was everywhere else [...] anyone arrested would certainly die”]; **D1.3.33.12** Kaing Guek Eav WRI, 8 May, EN 00204300 [admitting “illegal arrests” and “inhumane killings of people without trials”]; **D4.1.1109** Kaing Guek Eav WRI, EN 00177588 [“Q: Do you confirm that there were never any procedural safeguards aimed at assessing the necessity of arrest and detention and granting detainees a trial before they were executed? A: I confirm that the Party took all the important decisions, ruling the country in an exclusive and absolute manner [...] These principles were obviously not compatible with the existence of tribunals and procedural safeguards”].

2152 **D4.1.191**, **D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, EN 00185040 [“Emphasizing those I knew personally who were arrested, the possibilities they were arrested wrongly were very great, it was wrong to arrest them”].

2153 **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.22.00-11.25.54 [“the prison for S-21 was not the prison in other countries with the rule of law [...] this location was reserved for keeping people to be executed, so there would not be any rules to safeguard – legal safeguard to protect their rights [...] So we already treated them as dead people. We only waited for the time when they would be smashed”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.29.44-14.31.45 [“I never heard the words, ‘making mistake’ in arresting the prisoners. They never used that. Everyone who was arrested and brought in was considered as the enemy”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 13.52.10-13.56.20 [“I know that the prisoners who came into S-21 were already considered dead [...] When they were brought in, they were supposed to be killed”]; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.11.17-09.13.02; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.54.52-15.56.09 [“We received such instructions that anyone brought into S-21 were considered as traitor of the nation. That was the clear instruction from the upper echelon”]; **D98/3.1.185** Nhem En Interview, Mar 1997, EN 00078259 [“I saw what they did was dictatorial, cruel, summary justice (*kmein ka samreik jet*). They were not do[ing] investigations before killing people”].

2154 See, e.g., **D1.3.28.40** Names of Prisoners Entered on 2 Jul 1977, EN 00873556.

2155 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 14.22.33-14.25.13 [“For prisoners who were brought in, they would

- be registered. Their photographs were taken”]; **D1.3.33.8** Kaing Guek Eav WRI, EN 00149910 [“photos taken just after the prisoners arrived”]; **D234/2.1.131** Nim Kimsreang, T. 15 Sep 2016, 14.36.20-15.00.45, 15.25.47-15.29.50; **D4.1.741** Nim Kimsreang WRI, EN 00162737-38; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198000 [“After the registration, Suos Thy would send them to the photographer in the next room”].
- 2156 *See, e.g.*, **D59/1.3.51b** S-21 Biography of Huon Yeng, EN 01531794; **D114/36.1.56** S-21 Biography of Bou Sau, EN 00332647.
- 2157 *See, e.g.*, **D1.3.28.110** or **D4.1.122** S-21 Interrogation List, 10 May 1978; **D1.3.28.63** S-21 Interrogation List, 2 Feb 1978, EN 00224659.
- 2158 *See, e.g.*, **D1.3.21.2** List of Prisoners from Military Division Smashed on 10 June 1977; **D1.3.28.40** List of Prisoners Smashed on 19 September 1977, KH 00009083-85, EN 00873165-73 [Nos 17 and 18 are prisoners from Division 164].
- 2159 **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 11.02.34-11.04.25 [witness was tasked with recording the entry of prisoners to S-21], 13.33.02-13.34.32; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 09.49.40-09.51.36 [“When prisoners arrived, based on what I saw, at Suos Thy’s office, the prisoners were photographed, measured and their biographies were drawn up”].
- 2160 **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 15.19.21-15.21.08 [“Usually they would be brought in in a batch of about 30 and then I would take a brief biography of each prisoner, including their names, parents’ names, occupations and units”]; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 10.34.22-10.36.26; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 13.54.14-13.57.37, 14.24.17-14.31.30; **D54/6.1.24** Suos Thy, T. 28 Jul 2009, 09.29.13-09.40.50 [identifying lists of incoming prisoners prepared by his unit], 09.59.53-10.02.17 [confirming practice for registering new prisoners]; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.17.07-11.20.07; **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 11.27.07-11.31.16 [“Building E was for taking photograph for recording, making lists of documents”]; **D4.1.1116** Kaing Guek Eav WRI, EN 00153567, 00153575; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198000; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.51.49-09.56.24 [“we were asked about biography, where we came from, what is our name, so I told them my name, that I came from the fifth cooperative from the Northwest Zone”]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 7992 [Heng Nat, 34-year-old former painter from Cooperative 5, Sector 4 of Northwest Zone].
- 2161 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 14.25.13-14.26.49 [“later on, I would go to those cells, to note down the particular cells that the prisoners were held in”]; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 14.27.44-14.31.30; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198000.
- 2162 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 14.18.20-14.20.53; **D234/2.1.120** Suos Thy, T. 6 Jun 2016, 15.30.40-15.32.20, 15.34.32-15.36.47.
- 2163 **D234/2.1.144** Hin Sotheany, T. 9 Jan 2017, 09.56.39-09.58.26 [“I worked on the S-21 lists, particularly lists of incoming prisoners”], 10.38.37-10.41.07, 11.01.54-11.04.10 [“I only selected to work on the lists of incoming prisoners [...] I did not have time to examine those photos”], 11.06.05-11.08.46 [“I did not focus fully on the lists of prisoners who were executed”], 13.34.25-13.36.56 [“Regarding the methodology I applied, first I mainly focused on the list of incoming prisoners from 1975 up to 1979 [...] Normally there are a list of incoming prisoners on a daily basis, a weekly basis, monthly basis and yearly basis. And then I will review other documents as indicated in the various columns, for instance the biographies”].
- 2164 **D114/230.1.1** OCIJ S-21 Prisoner List. OCP has subsequently identified over 2,000 additional prisoners whose names were omitted from the OCIJ list, primarily because a comprehensive review of the available S-21 execution lists was not conducted. *See* **D234/2.1.144** Hin Sotheany, T. 9 Jan 2017, 13.54.48-13.56.10 [“Q: Do I understand correctly that you did not have sufficient time to go through all the execution lists and put all those dates into the spreadsheet; is that correct? A: That is correct”], 14.08.51-14.18.27 [confirming that dates from four large execution lists were not included because of lack of “sufficient time”].
- 2165 **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.56.24-09.59.13 [“The conditions were so inhumane and the food was so little. [...] I lost my dignity because the condition of the prisoners and the guards were so distant. It’s like humans compared to animals. Even with animals they would give enough food”]; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.18.07-11.20.28 [“I thought that I was being treated worse than a human being, I was treated like an animal, like a dog”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.57.37-11.01.02 [“I saw the ammunition box they gave us to relieve ourselves, on the bare floor, and I could smell the excrement and urine”], 14.03.28-14.07.12 [“Even if you raise a pig, you have to give food to the pig but for me I only got a spoonful of very thin gruel”]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.10.02-10.12.43 [“I felt very pity for them and for myself because we were treated like animals”].

- 2166 **D4.1.1114** Kaing Guek Eav WRI, EN 00209175; **D54/6.1.5** Kaing Guek Eav, T. 8 Apr 2009, 10.24.18-10.28.45 ["as a chief of S-21 all crimes including detention, inhumane detention against other inmates, women and children, and further to the execution of women and children, I admit it all"].
- 2167 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.45.28-10.48.08 ["In that room, I saw about 40 detainees. All of them were shackled. Their legs were shackled"]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 11.24.09-11.26.11, 11.33.07-11.36.04; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.24.42-14.26.19, 14.28.30-14.31.00 ["their ankles would be placed into a ring and then they would use a long metal bar to go through those rings in a row and then they would lock the end part of that metal"]; **D98/3.1.146** Lach Mean, T. 3 Aug 2009, 14.22.43-14.25.16; **D98/3.1.146** Lach Mean WRI, EN 00363554; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 13.42.12-13.43.45; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.05.02-10.10.02 ["There were a lot of detainees attached to the shackles by our ankles, maybe 5 to 10 people for each long shackle and we were put to sleep head to head"], 10.22.03-10.25.06; **D54/6.1.19** Ly Hor, T. 6 Jul 2009, 10.11.37-10.14.07; **D54/6.1.21** Nam Mon, T. 9 Jul 2009, 14.30.14-14.35.22 [female prisoner: "I was shackled on one ankle"]; **D4.1.388** Vann Nath WRI, EN 00163737-38 ["they put me in a long common shackle. There were twenty prisoners in one shackle (Drawing 8)"], 00163748 [Drawing 8]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.06.13; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.06.37-15.08.50; **D98/3.1.55** Him Huy, T. 20 Jul 2009, 10.34.40-11.02.17; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.39.28-11.41.55; **D4.1.1115** Kaing Guek Eav WRI, EN 00147602; **D4.1.386** Iem Horn WRI, EN 00401856; **D4.1.383** Ches Khiev WRI, EN 00401849 ["Those prisoners were always shackled and the shackles were changed from one leg to another when the leg was bruised"]; **D4.1.380** Chhem Chhin WRI, EN 00163793; **D4.1.384** Saom Met WRI, EN 00163663; **D114/37.1.2** OCJ Report on Reconstruction, EN 00198004-06 [confirmation from Prak Khan, Suos Thy, Vann Nath, and Bou Meng that prisoners were restrained by shackles in large common cells].
- 2168 **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.34.15-11.36.34 ["they were shackled to their legs 24 hours [...] except when they were taken or walked to be interrogated"], 11.45.15-11.47.30; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.28.30-14.31.00 ["Prisoners who were shackled [...] would remain in the shackles until the time that they had to be transported out"]; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 13.46.07-13.49.12 ["The prisoners were always shackled and the shackles were changed from one leg to another when the leg got injured"]; **D54/6.1.21** Nam Mon, T. 9 Jul 2009, 14.30.14-14.35.22 [female prisoner permanently shackled for 3 months]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.06.13 ["We were allowed to do exercise in the morning but while we were still shackled. In our room, we slept there and ate there and relieved ourselves inside the same room, and we were not allowed to move even an inch from where we belonged"].
- 2169 **D1.3.32.17** Him Huy WRI, EN 00161602 ["When they ate they were not unshackled. The guards walked up and unlocked the cells and scooped out a dish for each person"]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13.
- 2170 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.22.04-09.24.32 ["Prisoners who were brought to the prison [...] had to sleep with their ankles shackled"]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 11.24.09-11.26.11 ["And when they put the chains on my legs I was ordered to ask for permission if I changed my position when I slept"].
- 2171 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.18.07-11.20.28 ["I saw an ammunition box in the room where I was ordered to relieve myself in, but because of the shackle on my ankles, the watery faeces could not all go into the container"]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.02.06; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait* (Excerpts), EN 00396821; **D4.1.384** Saom Met WRI, EN 00163661.
- 2172 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.20.12-11.23.27; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.33.04-11.35.24; **D4.1.386** Iem Horn WRI, EN 00401860; **D4.1.383** Ches Khiev WRI, EN 00401849 ["They sprayed water to bathe the prisoners when it stunk of urine"]; **D4.1.384** Saom Met WRI, EN 00163664; **D4.1.380** Chhem Chhin WRI, EN 00163793; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13.
- 2173 **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.06.37-15.08.50 ["Prisoners were not brought outside for treatment [...] they had to be treated while they were still in shackles in the room"].
- 2174 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.40.07-09.41.27; **D1.3.32.36** Prak Khan WRI, EN 00161582 ["When they arrived at the room where I interrogated them, I locked the leg shackle ring to the table"]; **D54/6.1.21** Nam Mon, T. 9 Jul 2009, 14.30.14-14.35.22 ["During my interrogation [...] they tightened the shackle on my ankle"]; **D10.1.7** S-21 Notebook "Statistics List of Special Branch," EN 00225397-98 ["Our comrade interrogators must determine the view

- that guarding the enemies is our primary duty [...] put the cuffs, the rings and the shackle bars and chains”].
- 2175 **D54/6.1.20** Lay Chan, T. 7 Jul 2009, 10.57.01-11.00.28 [“At present, I can show the scars on my ankles, on my left ankle and a slight mark on my right ankle as a result from the shackles 30 years ago”]. *See also* **D114/297.1.47** Voeun Vuthy, T. 13 Dec 2016, 14.25.05-14.26.43 [“Our findings based on the scars on the bones [...] Bones with iron shackles have different colour from those without iron shackles”].
- 2176 **D10.1.26** S-21 Directive “On the Security of Regulation”; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.02.06 [“On the whiteboard there was regulations, internal regulations [...] So we could not do anything without permission”]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 14.23.39-14.24.49; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.05.05-15.06.40 [security regulations were “displayed in the building prison”].
- 2177 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.05.58-10.08.26 [“I was told not to chitchat to other people adjacent to my cell. I was required to be quiet and silent”], 14.32.57-14.34.22 [“I was afraid to talk to [Ung Pech] because if we talk to one another [...] then we would be beaten”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 14.43.11; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.08.25-15.10.55 [“measure from Duch that prisoners should not talk to one another”]; **D4.1.1115** Kaing Guek Eav WRI, EN 00147602 [“Talking between detainees was absolutely prohibited”]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.02.06; **D4.1.386** Iem Horn WRI, EN 00401858; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.10.02-10.12.43 [“if people made noise then they would be beaten with the stick”]; **D54/6.1.19** Ly Hor, T. 6 Jul 2009, 10.18.36-10.21.19 [“when people talked loudly then they would also be beaten”].
- 2178 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.18.07-11.20.08.
- 2179 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.31.00-14.32.38 [“For the prisoners, mostly they remained in one place”]; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.45.15-11.47.30; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.02.06 [“And when we were allowed to do exercise, our legs were still shackled to the metal bars and we could like hop to do exercise”].
- 2180 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.28.30-14.32.38; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.45.15-11.47.30 [“Without their permission the prisoner could not stand up”]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.02.06 [“we would not be allowed to sit up unless we sought permission from the guards. Otherwise we would be beaten up”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 09.36.09-09.40.22 [“one of the guards came and told me [...] that I had to ask permission if I would like to change to a side when I was sleeping”], 14.43.11-14.46.10.
- 2181 **D98/3.1.97** Kaing Guek Eav, T. 24 Jun 2009, 11.31.03-11.34.16 [“the third year we have some surplus of rice [...] And I send the surplus of rice to the Standing Committee through Uncle Nuon”]; **D234/2.1.116** Him Huy, T. 4 May 2016, 15.36.52-15.39.40 [“there was a lot of leftover steamed rice and food”].
- 2182 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.48.08-10.50.33; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.16.19-11.18.07 [while detained for interrogation, he was “given only two spoonfuls of watery gruel per day”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 09.36.09-09.40.22, 14.03.28-14.07.12; **D234/2.1.116** Him Huy, T. 4 May 2016, 15.36.52-15.39.40 [“they had only watery gruel to eat”]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.35.24-11.39.13; **D1.3.32.17** Him Huy WRI, EN 00161602; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.35.59-15.38.25; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.56.24-09.59.13 [“There was a big pot of gruel to be distributed among 50 or 60 of us, so we only had three spoons of gruel for each meal and the spoon, was like a coffee spoon -- so little. It’s not like a normal rice spoon”], 10.15.51-10.19.13; **D4.1.388** Vann Nath WRI, EN 00163738; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.47.14-09.50.19; **D54/6.1.20** Phaok Khan, T. 7 Jul 2009, 14.21.48-14.25.53, 15.28.26-15.36.25 [“just one ladle of thin gruel per each prisoner”]; **D55/8.1.5** Chin Met, T. 8 Jul 2009, 14.35.10-14.40.13; **D98/3.1.212** Prak Khan, T. 21 July 2009, 13.43.43-13.47.21; **D98/1.2.9** Kok Sros, T. 27 Jul 2009, 09.14.57-09.17.50; **D4.1.1108** Kaing Guek Eav WRI, EN 00194551 [“I feel remorse regarding what happened there, and in particular, not to have given sufficient rations to the detainees”].
- 2183 **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13 [“we were so hungry that we could eat insects, even the insects that dropped from the ceiling [...] I did not think of any other thing other than being thirsty and hungry. I was so hungry that I had never experienced that hunger before and I thought that even eating a human flesh would be a good meal”]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 14.11.30-14.14.18 [“I was so hungry. When I saw the lizard crawling on the ceiling I would wish that it dropped down so that I could grab it and eat to fulfil my hunger”].
- 2184 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.18.25-11.20.12; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.16.19-11.18.07; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 13.43.45-13.46.13 [“They became thinner and thinner because they did not receive enough food to eat”]; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.24.32-

- 09.26.32 ["They were very skinny since they did not have any proper place to sleep or proper food to eat. And for that reason, they became emaciated. And I refer to all of them"]; **D54/6.1.24** Suos Thy, T. 28 Jul 2009, 09.47.47-09.54.23 [describing removal of prisoners for execution: "Before they boarded the trucks the detainees were malnourished [...] they were very weak by then"]; **D4.1.347** Suos Thy WRI, EN 00162620; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.35.59-15.38.25 ["They were detained there for days, for months or for years [...] they did not have rice to eat, and they did not have water to drink. They would not be healthy [...] They became emaciated"]; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 10.40.39; **D98/3.1.29** Chhun Phal, T. 10 Aug 2009, 10.05.43-10.07.26; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.47.14-09.50.19; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13 ["I was so skinny and weak"]; **D1.3.28.42** Report on Illness Situation, 5 Aug 1977 [majority of listed prisoners described as "very thin"].
- 2185 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.05.58-10.08.26, 10.48.08-10.50.33; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.27.30-10.57.37, 14.19.52-14.22.54; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.40.07-09.41.27; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.22.04-09.24.32; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.35.59-15.38.25; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.05.02-10.10.02; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.14.15-10.15.51; **D54/6.1.19** Ly Hor, T. 6 Jul 2009, 10.18.36-10.21.19, 11.10.29-11.16.36; **D54/6.1.20** Phaok Khan, T. 7 Jul 2009, 14.21.48-14.25.53; **D98/3.1.146** Lach Mean, T. 3 Aug 2009, 14.34.58-14.38.08; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 10.25.30-10.27.49 [discussing prisoners who died from dysentery: "I'm saying it was infected from one prisoner through another and I think because they relieved themselves in the same ammunition box"]; **D4.1.344** Lach Mean WRI, EN 00363554; **D114/37.1.66** Nhep Hau WRI, EN 00401789; **D4.1.386** Iem Horn WRI, EN 00401860; **D10.1.15** Vann Sophea WRI, EN 00186464; **D4.1.383** Ches Khiev WRI, EN 00401849; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.41.55-11.45.15 ["for the defecation it was done on the spot where the prisoners lied down, stay or slept. For defecation I think an M-16 box was used, the case was used, and for the urine a plastic container was used"].
- 2186 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.18.07-11.20.28; **D4.1.384** Saom Met WRI, EN 00163661 ["Ordinarily we did not walk prisoners out to relieve themselves outside their rooms"]; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 13.46.07-13.49.12 ["The prisoners were always shackled"]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.05.02-10.10.02 [a guard would "collect the waste because the detainees [...] could not be moved"]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 09.59.13-10.02.06; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait*, EN 00396821 ["I was never released from the shackles [...] If I needed to defecate I asked the guards to bring the bucket over"].
- 2187 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.22.04-09.24.32 ["When I walked past, of course, I felt the stench"]; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 16.10.30-16.16.09 ["the smells, the stink, yes, it existed [...] of course there was a bad smell"]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.33.04-11.35.24 ["there was some kind of bad smell from each room because it was not properly cleaned"]; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 13.44.21-13.46.07 ["They sprayed water to wash the prisoners when they stunk of urine"]; **D4.1.383** Ches Khiev WRI, EN 00401849.
- 2188 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.52.32-10.56.22; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.18.07-11.20.28 ["because of the shackle on my ankles, the watery faeces could not all go into the container, so it spilled out and then I was ordered to lick it until it became clean, and they scolded me that if I did not lick it, I would be beaten up"]; **D54/6.1.19** Ly Hor, T. 6 Jul 2009, 10.18.36-10.21.19 ["some detainee would spill the urine inside the box and they would be beaten"].
- 2189 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.31.00-14.32.38 ["They used a water hose to bathe the prisoners collectively at the same time [...] the rooms were cleaned at the same time"]; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 13.46.07-13.49.12; **D4.1.344** Lach Mean WRI, EN 00363556 ["in the big cells they hosed them down with a water hose. They washed right where they laid"]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.18.25; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.52.00-10.57.37, 14.03.28-14.07.12; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.15.15-10.19.12 ["we had to be naked and then the water would be sprayed from outside through a water hose [...] like the cattle"]; **D54/6.1.20** Phaok Khan, T. 7 Jul 2009, 15.28.26; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.33.04-11.35.24; **D98/3.1.29** Chhun Phal, T. 10 Aug 2009, 10.17.31-10.21.07; **D4.1.383** Ches Khiev WRI, EN 00401849; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13 ["a young guard would use a hose, a water hose, and pour the water on approximately 50 prisoners all at once"]; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait*, EN 00396821; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00198005. See also **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.32.38-14.35.25 ["For individual prisoners who were detained in small cells, they had no chance to have a bath. They

- [were] never allowed to have bath”].
- 2190 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.48.08-10.50.33 [“Our whole bodies were swollen”]; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.35.59-15.38.25; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.32.39-09.34.29 [“Most of the prisoners had diarrhoea or fever or headaches”]; **D1.3.28.42** Report on Illness Situation, 5 Aug 1977.
- 2191 **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 14.39.33-14.42.28 [“And we all of us had skin rashes and a lot of skin lice. It was so itchy everywhere”]; **D54/6.1.19** Ly Hor, T. 6 Jul 2009, 11.10.29-11.16.36 [“the lice were all over our bodies. We developed some skin rashes until the full body covered with rashes”]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13 [“we had never been washed or had a bath for quite some time, so we had developed some kind of skin rashes and we felt so itchy”]; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait* (Excerpts), EN 00396821 [“My hair ... had become a nest for lice. I had scabies all over my body”].
- 2192 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 13.52.11-13.54.05 [“one prisoner died after the other, and the medic was running back and forth every day”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.32.38-14.35.25 [“I witnessed prisoners dying probably because of diarrhoea or other illnesses”]; **D4.1.344** Lach Mean WRI, EN 00363555; **D114/35.3** David Chandler, *Voices from S21*, EN 00192710 [“a cadre notebook from 1977 recorded [...] a total of 234 deaths over four months. Many of those who died had already been worn down by wounds, malnutrition, and torture”]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13; **D4.1.388** Vann Nath WRI, EN 00163738 [“Many dead prisoners were taken out at night. In my cell eight or nine prisoners died during one month”]; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.12.20-09.14.11 [“medic personally saw prisoners die “every 3 or 4 days, or every week”]; **D10.1.30** Makk Sithim WRI, EN 00401871 [“During treatment sometimes I saw prisoners die, one per day, sometimes one every two or three days”]; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.47.41-09.49.48 [S-21 medic: “There were prisoners who were sick and died and, yes, I did see them [...] there were many of them, probably up to hundreds”]; **D4.1.382** Sek Dan WRI, EN 00163823; **D1.3.32.17** Him Huy WRI, EN 00161602; **D4.1.380** Chhem Chhin WRI, EN 00163794; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.24.32-09.26.32 [“when there was severe illness or a death of an inmate, then that medic would make such a report to Hor, and Hor would bring that report to me for my daily registration of the situation”], 09.34.52-09.37.28 [approximately one to two people died every day from illness or beatings]; **D234/2.1.119** Suos Thy, T. 27 Jul 2009, 15.27.59; **D4.1.347** Suos Thy WRI, EN 00162620.
- 2193 **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13 [“people died one after another, and at about 10 to 11 p.m. the corpse would be removed, and we ate our meal next to the dead body and we did not care anyway because we were like animals”].
- 2194 **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.14.11-09.15.45 [“After a prisoner died, a medical staff member would be asked to [...] bury that prisoner outside the compound [...] I was ordered to bury prisoners outside the compound”]; **D10.1.30** Makk Sithim WRI, EN 00401871; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.47.41-09.49.48 [“We, the child medics and the medics were asked to carry those bodies and buried them in the vicinity of the compound”]; **D4.1.382** Sek Dan WRI, EN 00163823; **D1.3.32.17** Him Huy WRI, EN 00161602; **D4.1.388** Vann Nath WRI, EN 00163738.
- 2195 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 691 [Neou Kuch alias Phan – sent from Kampong Som to S-21 on 21 August 1976, died of disease 14 September 1976], 692 [Sy Taisrong – entered 21 August 1976, died of disease 8 September 1976], 693 [Tin Kim Hong – entered 21 August 1976, died of disease 24 August 1976], 696 [Nan Khnakk – entered 21 August 1976, died of disease 12 September 1976], 699 [Uy Leng alias Mann – entered 28 August 1976, died of disease 2 September 1976], 700 [Lim Huot – entered 28 August 1976, died of disease], 702 [Kin Va – entered 28 August 1976, died of disease 3 September 1976], 703 [Nhay Pheng – entered 28 August 1976, died of disease 23 September 1976]; **D1.3.3.2** S-21 Execution List, *List of Prisoners Executed from 1 to 15 October 1976*, EN 00874318 [identifying No. 138 as Lim Huot, Division 164 combatant, died of disease 3 October 1976]; **D9.3** OCIJ List of S-21 Prisoners from Division 164 [identifying No. 23 as Lim Huot].
- 2196 **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 16.22.17 [“Regarding the medical services, they existed but only [...] for the purpose to keep people alive long enough to be interrogated”]; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.26.05-10.28.25; **D234/2.1.114** Prak Khan, T. 2 May 2016, 09.18.18-09.20.44 [“medics only would treat the prisoners if there were open wounds from the beating”]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.06.58-15.08.53; **D98/3.1.165** Nam Mon, T. 13 Jul 2009, 11.07.22-11.09.37 [“I was instructed to work my best, to treat the patients so that they can be strong to be able to give the confession”];

- D98/3.1.146** Sek Dan, T. 3 Aug 2009, 10.03.40-10.08.22 [S-21 medic: “The medicine would be given to them to make them alive for the period until they would have been interrogated. That’s all”]; **D4.1.382** Sek Dan WRI, EN 00163823; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.16.35-15.18.10 [medic “warned” to be careful when treating wounds of important prisoners because “their interrogations were not yet concluded”]; **D10.1.30** Makk Sithim WRI, EN 00401871.
- 2197 **D234/2.1.114** Makk Sithim, T. 2 May 2016, 14.55.54-14.57.10 [“I did not know much about medication. I had only the basic training from the chief of medics and when I was sent to S-21, I was required to go and administer or deliver medicines”]; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.24.56-09.27.48 [“I was not trained”]; **D4.1.382** Sek Dan WRI, EN 00163822 [“in early 1978, I came to work as a child medic [...] I had never studied medicine [...] I could not read, but I could recognize the can when my leader told me to take the medicine and distribute it”]; **D98/3.1.165** Nam Mon, T. 13 Jul 2009, 09.37.08-09.39.39 [witness was 15 years old when she started working as a medic at S-21], 09.49.34-09.55.08 [because witness was illiterate, she could not read the names of the different medicines and could only recognize certain labels]; **D1.3.32.9** Chhun Phal WRI, EN 00163814 [“There were different medics for the prisoners and for the workers. The medics at that time were ordinary medics, not medical doctors; they cleaned wounds and treated fevers”]; **D4.1.384** Saom Met WRI, EN 00163663 [“They had medics to come and treat them, but they just put on some iodine, they had no other medicine; they just swiped some iodine on the wounds”].
- 2198 **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.35.59-15.38.25 [“The medicines were not effective”]; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.31.41 [“most medicines had expired”], 10.33.39 [“we did not have enough medicines [...] we had B12 and B1, and those medicines were produced in Cambodia. There were no French or foreign medicines”]; **D10.1.30** Makk Sithim WRI, EN 00401872-73; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.32.59-10.36.36 [“there was no medicine at all. There was a bowl of saltwater and they just poured that saltwater on my back and it was so, so painful because of my open wounds”], 14.14.18-14.16.43; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 13.47.21-13.49.18; **D98/3.1.165** Nam Mon, T. 13 Jul 2009, 09.39.39-09.42.21 [after running out of medicine, medics gave “traditional herb medicines” to prisoners]; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.24.56-09.27.48, 09.49.48-09.56.31; **D4.1.388** Vann Nath WRI, EN 00163738.
- 2199 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 6965 [Pheng Try, Chairman of S-21 Medical Office, entered S-21 on 10 May 1978], 9251 [Chhim Sam-Oeur alias Set, Deputy Chairman, entered S-21 on 6 April 1978], 10143 [Chheng Pao, Chief of Medical Staff Team, entered S-21 on 8 May 1978], and Nos 4826, 6698, 8805-8808, 8849-8850, 9081, 9244-9249, 9744, 11664, 12028, 12052. *See also* **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.21.29-09.23.16 [“I know for sure about Try and Huor [...] later on, they were arrested [...] while I distributed medicine to prisoners, I saw them being detained in a room”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 11.18.29-11.21.17 [“As for medics working in S-21, they were former members of Division 703. To my understanding, all of those medics were later arrested”]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.30.22-09.32.32 [Try, the chief of the medical unit, was arrested and executed]; **D4.1.382** Sek Dan WRI, EN 00163822 [“My team leader Pao [...] had given an injection which killed a cadre in the unit and was arrested and charged with being a traitor”]; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.26.05-10.28.25.
- 2200 **D4.1.382** Sek Dan WRI, EN 00163822 [“In the end, I saw that only the child medics remained; all the adult medics had been arrested and killed”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 11.18.29-11.21.17 [“Duch brought in the children from Amleang to replace those [arrested] medics”]; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 10.03.58-10.09.22 [witness, who was part of the “last batch of medics,” stated that her fellow medics were mostly “about 17 years old”]; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 16.22.17 [“Later on even the medics themselves were arrested gradually and then the medical service became loose [...] So the medical services was not adequately provided”].
- 2201 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 14.07.10-14.08.38 [“I had no hope that I would survive the regime”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.27.30-11.01.02, 14.03.28-14.07.12; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.02.06-10.06.13 [“I told myself that I didn’t care any longer because I could be killed any time if they would wish to do so and I better died rather than living in such condition”], 15.06.18-15.08.05 [“even animals, domestic animals, would be fed or would be given food and would never been kicked days and nights like that”]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.10.02-10.12.43; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.52.15-15.54.12 [“Those prisoners told me that they were hopeless, they knew that they would be dead after the interrogation was concluded”].
- 2202 **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 13.53.25-13.54.42; **D54/6.1.19** Ly Hor, T. 6 Jul 2009, 14.11.27-14.13.43 [“I would hear screaming almost every evening”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009,

10.19.54-10.23.05, 14.39.19-14.43.11; **D4.1.379** Tay Teng WRI, EN 00401837-38; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 14.33.25-14.35.26, 15.08.05-15.11.18; **D4.1.388** Vann Nath WRI, EN 00163740; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait*, EN 00396840 ["we could hear the interrogators' shout and threats and the prisoners' screams of pain. There were sounds I heard all the time"]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 15.08.56-15.12.35 ["the screaming was echoing and coming from everywhere"]; **D114/37.1.66** Nhep Hau WRI, EN 00401791; **D4.1.384** Saom Met WRI, EN 00163663 ["I heard the sounds when they tortured prisoners. The prisoners screamed and begged not to be mistreated, saying they agreed to answer, agreed to talk"]; **D4.1.378** Kung Phai WRI, EN 00163635; **D114/37.1.2** OCIJ Report on Reconstruction, EN 00197804; **D54/80.1.38** Pon-Tuy S-21 Notebook, EN 00184508 ["the problem of beatings being heard outside"]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192822 [recounting a contemporaneous conversation between S-21 interrogators, in which one noted: "In Interrogation Group I, all you hear everywhere is the sound of beatings, and people asking prisoners if they are 'C' [i.e., CIA] or not"].

2203 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.06.58-15.08.53 ["I saw bleeding, scars, and wounds on the backs, hands, and feet of prisoners"]; **D4.1.344** Lach Mean WRI, EN 00363555 ["There were people who had been tortured, who were swollen up, who had back sores"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.18.33-15.20.00 [after beatings during interrogations, prisoners had "wounds and scars" on their bodies]; **D4.1.381** Sokh Sophat WRI, EN 00163803 ["I saw that the prisoners had injuries, were bleeding, had burns like those from electrical shocks, had sores, and their clothing was blood-stained"]; **D4.1.380** Chhem Chhin WRI, EN 00163793 ["When they brought the prisoners back [...] I saw wounds on their backs, lash marks where they had been beaten"]; **D4.1.383** Ches Khiev WRI, EN 00401852 ["Upon their return they had bruises on their faces and cuts on their backs"]; **D114/37.1.66** Nhep Hau WRI, EN 00401795 ["when prisoners returned they had whip marks"]; **D4.1.388** Vann Nath WRI, EN 00163740 ["while I was painting a portrait of Pol Pot, an interrogator came and asked for a package of cement, and later on I saw a prisoner being walked with cement all over his face"].

2204 **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 10.12.19-10.13.55 [recalling an incident in which a female detainee attempted to disembowel herself with a razor]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 14.35.25-14.38.49 [some prisoners refused to eat], 15.04.26-15.06.58 ["Prisoners might attempt to commit suicide because they felt hopeless or they were scared [...] a prisoner grabbed a gun from a guard and shot himself to death"]; **D98/3.1.146** Lach Mean, T. 3 Aug 2009, 14.03.59-14.06.19; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 10.03.05-10.05.44; **D4.1.344** Lach Mean WRI, EN 00363555; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.54.09-11.57.43, 15.59.40-16.06.36; **D4.1.1113** Kaing Guek Eav WRI, EN 00185502 ["a detainee [...] had swallowed a screw and we had to have him operated upon by a doctor in order to continue the interrogation"]; **D4.1.1117** Kaing Guek Eav WRI, EN 00154195; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.37.31-09.40.07 [warning from Duch and Hor at study session about prisoners trying to commit suicide]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, EN 00355156 ["We were told some of them jumped from the building and some burned themselves with the lamp and some used a pen to prick themselves to die"]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 14.14.42-14.17.46, 15.34.52-15.36.43 ["Q: Did you ever see female prisoners jump from the upper floor to commit suicide? A: [...] I saw one incident of such case"]; **D114/37.1.66** Nhep Hau WRI, EN 00401791 ["prisoner jumped from the building and died. I saw that with my own eyes"]; **D54/6.1.21** Chin Met, T. 9 Jul 2009, 10.23.24-10.26.23 ["When we were in the same room, the three of us talked. If they only tied our feet and if our hands were not tied, then if there was any tool nearby then we would all agree to commit suicide [...] We thought of committing suicide, but we had no opportunity"]; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.46.48-15.49.46 ["At that time, I saw one detainee committed suicide when he was being walked out"]; **D98/3.1.257** Saom Met, T. 11 Aug 2009, 15.34.21-15.36.19; **D4.1.384** Saom Met WRI, EN 00163664 ["prisoner grabbed that scarf to hang himself"]; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.31.41-09.34.20; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.10.02-10.12.43 ["after we finished the meal then the plates and spoon would be collected because they were afraid that those items could be used for the detainee to commit suicide"]; **D98/1.2.9** Kok Sros, T. 27 Jul 2009, 10.18.01-10.21.12, 11.20.47-11.23.45; **D98/3.1.29** Chhun Phal, T. 10 Aug 2009, 09.57.01-09.59.29; **D1.3.32.9** Chhun Phal WRI, EN 00163813-14 ["The rule in guarding was the fear of prisoners hanging themselves [...] because the prisoners were to be kept for interrogation and getting documents"]; **D1.3.3.2** Prisoner List, *List of Prisoner Executed on 21 December 76*, EN 00874194 [identifying No. 65 as Eng Makea Vin, "committed suicide by hanging" on 25 December 1976]; **D10.1.7** S-21 Notebook "Statistics List of Special Branch," EN 00225398 ["Therefore we must be vigilant [...] They commit suicide in order to conceal their networks"].

- 2205 **D114/230.1.1** OCIJ S-21 Prisoner List [identifying No. 13137 as a prisoner that committed suicide by hanging on 4 May 1977].
- 2206 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.40.07-09.41.27; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.09.55-10.13.36, 11.15.09-11.16.49; **D1.3.32.36** Prak Khan WRI, EN 00161582; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.19.12-10.25.06; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.59.20-10.02.56.
- 2207 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19 ["I was shackled again, then they took off the handcuffs and they -- and they took off the blindfold and I could see everything in the room. I saw a pool of blood to the right and a bunch of clubs near a table where a typewriter was sitting. They interrogated me"]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.40.07-09.41.27; **D1.3.32.36** Prak Khan WRI, EN 00161582 ["When they arrived at the room where I interrogated them, I locked the leg shackle ring to the table"]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.22.03-10.25.06 ["After I was shackled and they removed the handcuffs and removed the blindfold, and then they started to beat me to answer when I entered CIA and KGB"]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.59.20-10.05.52; **D4.1.354** Daily Reports from Interrogation Group No. 5, 14 Dec 1976, EN 00178167 [Ngan Kim Sun: "Put in one shackle [...] Shackles are connected to 2 tables"], 00178168 [Sao Peng: "Lock, shackle and chain have been checked thoroughly. Shackle at the ankle is tight enough"], 00178171 [Kuy Chheng Lay: "Locked in with 2 shackles which are tight enough, with a Chain of 20 centimeters long, connecting to a table"].
- 2208 **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.43.10-09.44.37 ["Usually, it took several months or a few months to interrogate prisoners [...] Under the rule or regulation at that compound, I had to interrogate the prisoners from 7 a.m. to 11 a.m. and from 2 p.m. to 5 p.m., and from 7 p.m. to 11 p.m."]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 11.32.14-11.36.42; **D1.3.32.36** Prak Khan WRI, EN 00161584; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 09.48.02-09.52.09 ["Talking about the shortest interrogation, if the prisoner agreed to cooperate and give the answers [...] the duration of the interrogation would last about 10 to 15 days"]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.08.26-10.10.05 ["I was beaten from 7 a.m. up to 11.00 and from 1.00 up to 5.00 p.m., and also from 6 p.m. up to 10 p.m."]; **D4.1.247** Mam Nai WRI, EN 00164392 ["Some prisoners were interrogated for up to two months"]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 10.15.14-10.18.13 [describing "three shifts" that were the "daily routine of the interrogation cadres"].
- 2209 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.16.19-11.18.07 ["I became so fatigued as the food was not sufficient. I was thinking to myself that I was given this watery gruel so that I could not gain my strength to resist their interrogation"]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.18.25-11.20.12; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.47.14-09.50.19 ["There was no rice grain in [the gruel] [...] and I was so skinny I had no strength. Even if I had a stick, I would not be able to use it to attack them [...]"]; 15.05.27-15.08.56 ["once we became weak they would start to peel our skin. That expression means they would start to interrogate and torture us"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 13.43.45-13.46.13 ["The prisoners whom I interrogated [...] became thinner and thinner because they did not receive enough food to eat while they were detained in the prison"]; **D4.1.386** Iem Horn WRI, EN 00401858 ["They chained me [...] I received no food or water for one week"].
- 2210 **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.43.49-09.46.46 ["The interrogation team divided into three groups [...] For the cold group, tortures were not applied. For the hot group, their hands were hot, so they would beat the prisoners immediately if the confession was not extracted as they wanted. For the chewing team, they needed more time to interrogate the prisoners and it took long term"], 09.53.05, 09.56.44-09.59.20 ["interrogation at S-21 took place by what I can call the preliminary interrogation team. This team would only ask questions to grasp the core essence of the confession, and then Hor would make a decision with consultation with me or make a decision alone whether those people would be sent to a respective group, for example, the cold group or the hot or the chewing. And, again, if any prisoner was sent to the cold group and then the cold group could not handle the task, then the group would refer to another two groups"]; **D4.1.1117** Kaing Guek Eav WRI, EN 00154194-95 ["*Cold method*: no torture, no insults, but use of propaganda [...] *Hot method*: insults, beatings and other torture authorised by the regulations. *Chewing method*: gentle explanations in order to establish trust/confidence, followed by prayers to the interrogated person, continually inviting her or him to write. Torture was sometimes used"]; **D1.3.33.13** Kaing Guek Eav WRI, EN 00154908 ["With [Ya] we used the Chewing method – that is the Cold method combined with torture"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 10.40.35-10.41.55, 10.41.55-10.43.47 ["The prisoners I interrogated at that time were mostly those who were already tortured exhaustively, and they were sent to my unit so that we would chew for more information. There were only few cases where new prisoners were sent to my unit"];

- D234/2.1.113** Prak Khan, T. 28 Apr 2016, 14.05.37-14.10.16 ["Regarding the interrogation conducted by members of the chewing group, they employed all methods, that is, cold method, hot method, and sometimes, they resorted to violence"]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.39.53-10.42.50, 15.30.43-15.34.25; **D1.3.32.36** Prak Khan WRI, EN 00161575-76 ["Normally, when prisoners came in, important prisoners, they went to the hot team"]; **D4.1.346** Mam Nai WRI, EN 00162915-16; **D4.1.96** S-21 Notebook of Mam Nai alias Chan, EN 00184607 ["Since April 77, we have the following groups: Cold; Hot; Making Documents; Group A"]; **D1.3.28.98** S-21 Interrogation Log, 9 Apr 78; **D1.3.28.110** S-21 Interrogation Log, 9-10 May 1978 [separate lists for prisoners interrogated by Cold, Hot and Documentation Groups]; **D234/2.1.53** S-21 Notebook, EN 00602543 [chart identifying four groups of S-21 interrogators].
- 2211 **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 10.09.51-10.12.13 ["in instructing the interrogators to interrogate, it was a key factor that the interrogators had to have an absolute stance. The people who were arrested had to be regarded as the enemy, otherwise their confessions could not be extracted"]; **D98/3.1.89** Kaing Guek Eav, T. 8 Jun 2009, 11.36.12-11.40.46; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.02.57-15.05.05; **D98/3.1.136** Prak Khan, T. 22 Jul 2009, 09.59.50-10.02.28 [S-21 cadres were indoctrinated to take "absolute stance against the enemy [...] to consider the enemy as animals so then we would be in the position to extract the confessions from the enemy"]; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.04.44-09.06.13 ["we had to acknowledge that people who were arrested by Angkar were enemies"]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 14.35.47-14.39.17 ["we were trained to be absolute to elicit enemies' confessions"]; **D10.1.7** S-21 Notebook "Statistics List of Special Branch," EN 00225380 ["Resolve to absolutely go on the offensive to interrogate and get confessions for the Party"]; **D4.1.96** Mam Nai alias Chan, S-21 Interrogator's Notebook, EN 00184602.
- 2212 **D98/3.1.82** Kaing Guek Eav, T. 23 Apr 2009, 11.57.40-12.01.50 ["My second duty was the training and education in order to make them to interrogate, so that they dare to interrogate, they dare to torture [...] and all this was the result of the arrest of the new people because for these new people we had to have their confessions. That was my constant duty with my superior"].
- 2213 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 10.43.47-10.45.53 ["Every half month or one month, we were invited for a political training session near Duch's house about the various techniques that should be used for interrogation, documenting, and torturing"], 14.08.30-14.09.43 ["Duch, himself, also provided us the training in the political study sessions on the techniques to mistreat prisoners and not to make it so severe that they died and the confession was cut off"]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.22.29-10.30.38; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.45.15-15.46.44 [Duch instructed "how to extract the confession quickly from the prisoners"]; **D4.1.344** Lach Mean WRI, EN 00363554, 00363557-58; **D98/3.1.84** Kaing Guek Eav, T. 28 Apr 2009, 11.32.16-11.35.10 ["I conducted a training on how to interrogate [...] Those presentations were based on my frequent meetings with the senior. The superior gave me advice and recommendation and I followed that"]; **D98/3.1.89** Kaing Guek Eav, T. 8 Jun 2009, 11.36.12-11.40.46, 11.53.11-12.03.28, 16.00.46-16.03.22; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 11.32.20 ["we taught in details the importance of torture to the interrogators"]; **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225395, 00225407 ["If the Party orders us to beat, then we beat with mastery, *beat them to make them talk*, not to die, to escape, not to become so weak and feeble that they will fall ill and we will lose them" (*emphasis added*)].
- 2214 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.36.55-09.39.23 ["The physical torture was inevitable. There was only one case in which I did not use physical torture. For Comrade Hor, there was only one case in which he did not use torture [...] In most of the cases during the interrogation, it involved the use of physical torture"]; **D98/1.2.19** Kaing Guek Eav, T. 27 Mar 2012, 09.35.06-09.36.30 ["As to your second part of the question, whether or not all confessions were extracted by ways of torture, I can say that, well, all of them except Koy Thuon's were torture"], 09.39.30 ["as for torture, it was inevitable at S-21"]; **D10.1.64** Kaing Guek Eav Written Statement, EN 00412114 ["torture was not avoidable there"]; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147524 ["Anyone taken for interrogation mostly could not avoid torture, except for special cases like the case of Koy Thuon, whom I had orders not to torture"].
- 2215 **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 09.43.14-09.46.50 ["There were only few cases where prisoners were not tortured during the course of their interrogation"]; **D98/3.1.257** Saom Met, T. 11 Aug 2009, 09.38.56-09.44.00 [confirming prior statement that "everyone was tortured," and noting: "in such interrogation violence could not be avoided"]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 11.36.42-11.39.30 ["Normally detainees were subjected to being tortured regardless of female or male detainees"]; **D114/37.1.66** Nhep Hau WRI, EN 00401790, 00401795 ["I noticed that one hundred percent of the prisoners

- 2216 had been tortured [...] when I guarded in the prison, when prisoners returned they had whip marks”].
- 2217 **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225392 (*emphasis added*).
- D4.1.1115** Kaing Guek Eav WRI, EN 00147604, KH 00146662, FR 00149925 [“there were four types of torture that were used with the approval of Son Sen: (1) beating the detainees with a stick; (2) electroshocks; (3) covering the head with a plastic bag to suffocate; and (4) covering the mouth and nose with a towel and pour[ing] cold water from a kettle”]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.24.45-09.29.29 [“These methods were instructed by Vorn [Vet] [...] I talked about these methods with Son Sen, and he agreed”]; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 09.55.21-09.59.12 [“when I started to oversee the task at S-21, we discussed with Nat about torture modes”]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.39.38-09.43.49 [“I did allow people to torture people in four ways”], 11.32.20 [“how tortures would be carried out, they had been agreed between I and Nat that the 4 methods were used”]. *See also* **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.24.59-10.27.42 [“Regarding the techniques of torture [...] we were trained on how to whip the prisoners with the stick, on how to electrocute, on how to use the plastic bag to suffocate them”]; **D1.3.32.36** Prak Khan WRI, EN 00161574.
- 2218 **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.39.38-09.43.49 [“I did allow people to torture people in four ways. First, by beating with lashes or whip or other kind of beating”], 11.32.20 [“we agreed that beating would be the general method for torturing”]; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 09.55.21-09.59.12 [“normal beating techniques” one of two most common methods of torture used at S-21]; **D4.1.1115** Kaing Guek Eav WRI, EN 00147604 [“The method that was used the most was beating with a stick because other methods led to time wasting”]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 10.30.04 [interrogators’ use of “rattan sticks”], 11.07.44 [They used the wire from those houses and “wrapped it together and then beat the prisoners with it”]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 14.12.00-14.15.56 [“I used nearby tree branches to beat him; to beat his hand, legs, and back”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.14.35-15.15.50, 15.18.33-15.20.00; **D234/2.1.114** Prak Khan, T. 2 May 2016, 09.14.56-09.18.18; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.22.29-10.27.42 [“we were trained on how to whip the prisoners with the stick”]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.26.25-11.30.42 [“Tith told Hor that I did not confess and it was after that time that Hor took and pick up the stick to lash me [...] he used the stick to hit my kneecaps”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.00.36-10.05.40 [“there were bamboo sticks, there were like rattan sticks or tree branches the size of a thumb, and at that time at the corner I saw a whole bunch of those sticks for [use] to whip or hit on the prisoner [...] I was beaten with a stick [...] when one was broken they used another one”]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 09.26.40-09.28.50 [“I only saw him beating up prisoners with wood – with tree branches”]; **D4.1.344** Lach Mean WRI, EN 00363558 [“When prisoners did not respond, I told Hor. Then he had me break a guava branch and bring it to him to beat them”]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.39.35-09.43.37 [“I was asked to choose which stick I preferred [...] Mam Nai stood up and grabbed a stick and started to beat me up. After he felt exhausted, then another person came to take turn to beat me up [...] He asked me to count the lashes and when I counted up to 10 lashes, he said, ‘How come you count to 10 lashes? I only beat you for one lash.’ I felt so painful at the time [...] Every time they beat me up, they asked me questions: when did I join the CIA and ‘Who introduced you into the CIA network and what was their name?’ I responded that I did not know [...] So they just kept beating me up”]; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.31.46-15.34.57 [“He [interrogator Tuy] asked, ‘Now, why did you not answer and reveal the truth to the Party?’ [...] the detainee said, ‘I already reported to the Angkar and I had nothing else to report.’ And then Tuy grabbed a stick and then beat the detainee on the back”]; **D4.1.384** Saom Met WRI, EN 00163663 [“they just walked back and forth until the prisoner re-gained consciousness, and then they took a piece of rattan and beat them some more”]; **D114/37.1.70** S-21 Confession of Danh Siyan, 8 Jan 1976, EN 00225275 [annotation: “More precise questions must be asked and more serious torture must be used in order to make her talk about her strings. Beat her until she stops saying that she has been to Vietnam to have herself healed of amenorrhea and thyroid gland by her grandfather”]; **D4.1.1113** Kaing Guek Eav WRI, EN 00185500 [identifying annotation on **D114/37.1.70** as his handwriting]; **D10.1.108** S-21 Confession of Um some (Excerpts), 30 Aug 1975, EN 00223146, 00223142 [30 August 1975 annotation: “He was so stubborn though he is young that he was beaten to unconsciousness”, annotation: “Did not confess! Torture!”]; **D98/3.1.84** Kaing Guek Eav, T. 28 Apr 2009, 15.44.23-15.46.12 [identifying latter annotation as his handwriting]; **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225397 [“We must not breach the Party’s instructions of beating female prisoners with the whip only”]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192823 [list of methods of torture used at S-21 includes: “Beating by hand, with a heavy stick, with branches, with bunches of electric wire”].

- 2219 **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.39.38-09.43.49 ["Number two, I allowed them to electrocute the prisoners by using the electric telephone"]; 11.32.20; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 10.30.04 ["Pon used the power provided from the electricity from the wall with 220W of power to electrocute prisoners"]; 11.07.44-11.22.52; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 09.55.21-09.59.12 ["It was a kind of form of torture Nat was in favour of"]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.37.50-10.40.25 ["I was electrocuted twice"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.22.41-15.24.45 ["we did not use electricity from the cable as we used in our current residence. At that time we used electricity generated from a hand crank phone"]; **D4.1.245** Prak Khan WRI, EN 00161554; **D1.3.32.36** Prak Khan WRI, EN 00161574 [he was instructed by Duch on use of electric shocks]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 09.26.40-09.28.50 ["electricity was generated from a dynamo and he [Kak, a senior interrogator] used that electricity to shock prisoners. And the severity depended on how fast you were winding that dynamo"]; **D4.1.344** Lach Mean WRI, EN 00363560; **D4.1.378** Kung Phai WRI, EN 00163635 ["I saw interrogators [...] giving [prisoners] electrical shocks"]; **D4.1.379** Tay Teng WRI, EN 00401837-38; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.47.33-15.49.48 ["Yes, prisoners were electrocuted"]; **D10.1.30** Makk Sithim WRI, EN 00401872 [S-21 medic treated "prisoners who had been interrogated with electric shocks"]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192823; **D10.1.3** S-21 Report on Interrogation of Ke Kim Huot alias Sot, 22 Jul 1977 ["By nightfall, we went at him again with the electric wires, this time pretty seriously. He became delirious"]; **D10.1.111** S-21 Report on Interrogation of Suor Heang alias Yom, 18 Jul 1978, EN 00780892 ["he did not tell me about his traitorous networks. I then electrocuted him several times"]; **D10.1.51** S-21 Confession of Bou Phat alias Hang, 3 Feb 1978, EN 00768234 ["Yesterday's report was groundless because I was writing it under the coercion of the security interrogators who threatened to beat me up and electrocute me to death"]; **D10.1.108** S-21 Confession of Um Soeun (excerpts), EN 00825417 [stating that he "felt like committing suicide" after interrogators "beat and electrocuted me because I refused to confess my mistakes like Angkar had explained to me in the beginning"]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 11.17.27-11.22.52 [identifying Pon as interrogator used for prisoner Um Soeun].
- 2220 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19 ["Then they use electrical wire to shock me in my ear"]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 09.26.40-09.28.50 ["Mostly, he would stick the wires on the prisoners' ears"]; **D4.1.344** Lach Mean WRI, EN 00363558; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.31.46-15.34.57 ["And then Tuy grabbed bunches of electric wire and then he attached part of the electrical wire to his toe and then put part of the wire into the ear of the detainee"]; **D4.1.384** Saom Met WRI, EN 00163662 ["Sometime they had the prisoners strip off their clothes, and they used equipment to shock their genitals or shock their ears"]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.29.25-10.32.59, 14.29.21-14.32.19 [describing electrocution near his genitals on "inner side of my thigh"]; **D114/277.3** Kaing Guek Eav, 9 Jun 2016, 11.11.44 [told by Nat or others that the wires were "attached to each big toe"]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 13.49.15-13.56.38 ["I only heard about an electrocution on a male prisoner and make his genitals impotent"]; **D98/3.1.89** Kaing Guek Eav, T. 8 Jun 2009, 16.17.59-16.23.03 [describing incident in which Pon used electricity to shock a prisoner on the genitals].
- 2221 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.22.41-15.24.45; **D4.1.245** Prak Khan WRI, EN 00161558 ["During the torture, there was no confession, and it went on until the woman went unconscious from too much electric shock"]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.37.50, 11.30.42-11.33.10; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.09.48-10.14.49; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.29.25-10.32.59, 14.29.21-14.32.19 [describing electrocution that caused him to fall "unconscious immediately"]; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.31.46-15.34.57; **D4.1.384** Saom Met WRI, EN 00163663; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192825 ["Interrogators' notes to some confessions suggest that prisoners often physically collapsed and confessed 'fully' when threatened with electric shock"].
- 2222 **D114/35.3** David Chandler, *Voices from S-21*, EN 00192824 ["Electric shock was administered to prisoners so commonly that a list of instructions drawn up for all prisoners included a request not to scream when electric shocks were applied. The penalty for disobeying an interrogator, said the instructions, could be 10 strokes of a whip or 'five electric shocks'"]. See also **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.06.40-15.08.25 ["they were prohibited from shouting"].
- 2223 **D114/277.3** Kaing Guek Eav, 9 Jun 2016, 09.24.45-09.27.42, 10.55.40-11.04.01; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 09.55.21-09.59.12 ["at M-13, Brother One was very happy to employ the plastic-bag technique"]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 11.32.20; **D98/1.2.15** Kaing Guek Eav, T. 19 Mar 2012, 15.40.48 [instructed by Vorn Vet that after covering the prisoner's head with a bag: "You, Comrade,

- need to look at their neck [...] or, rather, the pulse at the neck; if it was vibrating very strongly [...] they would be considered as spies”].
- 2224 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.15.10-14.16.55 [“some others did not confess, so we had to resort to other methods [...] we had to use plastic bag to suffocate them so that they confessed”], 14.21.22-14.23.15 [“plastic was used to suffocate prisoners”], 15.14.35-15.15.50, 15.20.00-15.26.07 [“If we saw that the prisoner actually suffocated and could not breathe, then we would remove the plastic bag. And if not, then we continued to tighten the bag. And the duration varied. We did not time it”]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 14.20.24-14.22.44; **D234/2.1.114** Prak Khan, T. 2 May 2016, 09.55.02-09.56.32; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.24.59-10.27.42 [“we were trained [...] on how to use the plastic bag to suffocate them”], 11.07.00-11.10.02 [describing torture of female prisoner: “He beat her, he electrocuted her, and he suffocated her with a plastic bag until she became unconscious”]; **D4.1.245** Prak Khan WRI, EN 00161554 [“they told us about torturing by putting rubber bags over the head, electric shock, so that the enemy would not have sores all over his body, wounds all over his body”]; **D1.3.32.36** Prak Khan WRI, EN 00161574; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.57.18-16.02.20 *confirming* **D4.1.384** Saom Met WRI, EN 00163662 [“They tortured by beating the prisoners to make them answer [...] suffocating them with a bag”].
- 2225 **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.35.56-09.38.59 [“a prisoner died because he was suffocated by the plastic bag, and the actual incident that I saw was in the case of Ping Kim Sie because he was a rather important prisoner”]; **D114/230.1.1** OCIJ S-21 Prisoner List, [identifying No. 6946 as Poeng Kim Sea, former doctor from Northwest Zone, entered S-21 18 April 1977 and “died of torture [...] at Interrogation Place” on 7 May 1977].
- 2226 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.24.45-09.27.42; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 09.55.21-09.59.12 [“another technique was from the Lon Nol police; what we call a boarding technique while a scarf was covered on the face of the prisoner while water were poured in”]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.39.38-09.43.49 [“I allowed the interrogators to pour water into nostrils of the prisoners”], 11.59.41 [“this kind of torture [...] the victims felt that they were drowning and suffocating”]; **D4.1.1115** Kaing Guek Eav WRI, EN 00147604 [method of torture “used with the approval from Son Sen”]. *See also* **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.08.30-14.09.43 [“the method of waterboarding was also taught by him [...] they were all taught by Duch”]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192823; **D54/80.1.38** Pon-Tuy, S-21 Interrogator’s Notebook, EN 00184511 [“We forget ourselves in the matter of torture whenever we are angry, not holding back, like when the enemy writes incorrectly. Another thing, getting overjoyed with pouring water into prisoners”].
- 2227 **D114/35.3** David Chandler, *Voices from S-21*, EN 00192823 [list of torture methods used at S-21 includes “cigarette burns”]; **D98/1.2.8** Kaing Guek Eav, T. 22 Jun 2009, 14.40.43-14.43.22 [“regarding the cigarette burning I believed it existed”]; **D1.3.32.24** Kong Phai WRI, EN 00184691 [“When I was guarding, I witnessed the prisoners who were being tortured [...] They used the spot light to heat the prisoners up. They turned on the spot light and turned it directly on the prisoners who were tied up with a wooden stick, and the prisoners got hotter and hotter until they could not stand the heat and eventually answered the questions asked”].
- 2228 **D114/277.5** Kaing Guek Eav, T. 14 Jun 2016, 11.26.17-11.30.42 [describing torture used during interrogation of Vorn Vet: “during the month of November, the weather was rather cool and he used the fans and with the water splashing behind the fans in order to spray it to make Brother Vorn shiver [...] ice was put into a container and water was poured into it, then they splashed that cold water onto him and then they turned on a fan”]; **D114/37.1.7** Kaing Guek Eav Interview, 4-6 May 1999, EN 00185026; **D4.1.384** Saom Met WRI, EN 00163663 [“Sometimes, when they tortured strongly, they poured water on the prisoner and the sleeping place, and they turned on a fan so the prisoner would be cold”].
- 2229 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.21.22 [“As for torture, pliers were used to pull fingernails or sometimes a nail was inserted under the fingernail”]; **D234/2.1.114** Prak Khan, T. 2 May 2016, 11.04.45 [“Regarding the mistreatment of prisoners by pulling out their nails, at the political school, Duch gave us instructions on this matter”]; **D1.3.32.36** Prak Khan WRI, EN 00161574; **D4.1.245** Prak Khan WRI, EN 00161554; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.36.05-10.37.50, 11.28.20-11.33.10, 13.44.05-13.47.18; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.05.40-10.08.11; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.18.10-15.20.05 [“my chief would further instruct me how to treat a particular prisoner; for example, after their nails had been removed”], 15.42.12 [“That prisoner told me that the interrogator used the pliers to pull out his fingernails and toenails”],

- 15.55.36-15.57.37; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.11.10; **D10.1.30** Makk Sithim WRI, EN 00401871; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.30.08-09.34.29 [S-21 medic: “They had their fingernails missing”]; **D4.1.384** Saom Met WRI, EN 00163662 [witness saw finger and toe nails pulled out while guarding interrogation rooms]; **D4.1.364** Poeuy Pele WRI, EN 00195716; **D4.1.388** Vann Nath WRI, EN 00163740; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 15.13.55-15.16.31 [admits “puncturing or removing of toenails” occurred, but claims he later “warned” interrogators to stop], 15.38.02-15.42.22.
- 2230 **D10.1.3** S-21 Report on Interrogation of Ke Kim Huot [Unofficial translation from French: “On the afternoon of 21-7-77, we pounded him another round. Electrical wire and shit. This time he cursed those who hit him very much, and said ‘Go ahead and beat me to death.’ Had him eat two or three spoonfuls of shit”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.08.30-14.09.43 [“prisoners had to be forced to eat faeces and to drink urine; they were all taught by Duch”]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 15.27.59-15.30.43; **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 14.16.45-14.18.50 [discussing Ke Kim Huot: “Yes, that was that prisoner that Tuy beat and forced to eat his own faeces”]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 15.42.22 [“I knew that [forcefeeding of excrement] was inflicted on my former school teacher. And I still gave my leniency to the person who committed such torture”]; **D98/3.1.76** Kaing Guek Eav Written Statement, EN 00270555 [“Comrade Tuy forced Ke Kim Huot to eat excrement [...] even though it was serious and shocked me deeply, I was not brave enough to arrest the perpetrator – leaving it to Son Sen to take action, but he did not do so”]; **D4.1.1111** Kaing Guek Eav WRI, EN 00177633-34 [“Regarding the use of torture, I had assigned Tuy to the interrogation. I no longer dare to declare that the tortures described were not used. Actually, I acknowledge they were”].
- 2231 **D114/277.4** Kaing Guek Eav, T. 13 Jun 2016, 09.04.49-09.14.15; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 15.16.31-15.19.36 [“interrogator inserted a stick into teacher Doem Sarouen”].
- 2232 **D54/6.1.21** Nam Mon, T. 9 Jul 2009, 14.30.14-14.35.22 [female prisoner: “During my interrogation I was not beaten with a stick but they tightened the shackle on my ankle”].
- 2233 **D4.1.729** Report from Pon to Duch, 26 Sep 1976, EN 00184020 [“We received an instruction from Brother Duch to [...] recall the welfare of his spouse and children and his knowledge of their arrests and whether they know where he is now”]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 13.43.20-13.45.34 [discussing **D4.1.729** and the interrogation of Ya: “his wife had just delivered a baby and he was told that kind of statement to make him think about the welfare of his spouse and children. This was the practice at that time”]; **D4.1.1107** Kaing Guek Eav WRI, EN 00164363 [“we decided to put pressure on him by mentioning his wife and children, whom he loved very much (it was Son Sen’s idea, but the three of us, Son Sen, Pon and myself, agreed to proceed in this way)”]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 09.48.02-09.51.04 [confirming he received “similar instructions” to those described in **D4.1.729**]; **D234/2.1.114** Prak Khan, T. 2 May 2016, 09.32.16-09.33.52 [“the technique was also to allow the prisoners to think of the wife and the children of them so that they could give the confession”], 09.57.36-09.59.42; **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225392-93 [list of nine “forms of propaganda” or “political pressure” to use as Interrogation Methods includes: “(d) Attract their feelings to revolve around family matters, the lives of their wives and children [...] do not resist and make matters more serious, do not make us torture yet or do anything else serious that will impact upon their health”], 00225394 [“Make them think about something else, like the lives of their parents, wives and children”]; **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 13.41.57 [in reference to excerpt from **D10.1.17**: “I considered this tactic of interrogation as the cold method”].
- 2234 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 10.33.42-10.36.36, 11.23.59-11.26.37; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 13.49.15-13.56.38 [“I saw the introduction of the respect, the paying of the homage to the pictures of dogs [...] I think emotionally the person would have been severely affected by such practice [...] I asked them to pay homage to the dog – one dog with the Ho Chi Minh head on top and the other dog with the head of Johnson”], 15.42.22-15.45.08 [“these practices existed because I educated them”]; **D98/1.2.8** Kaing Guek Eav, T. 22 Jun 2009, 14.43.22 [“The paying homage to the dog was practiced and because of its effectiveness I accepted it to be used [...] of course you can say this is a psychological torture”]; **D98/3.1.89** Kaing Guek Eav, T. 8 Jun 2009, 16.10.14-16.14.09; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.10.55-15.13.23 [“the purpose was to humiliate the prisoner if they would not confess. And this is also to degrade the value of the prisoner as the prisoner had to respect the image of the dog”], 15.13.23-15.14.35; **D10.1.111** S-21 Report on Interrogation of Suor Heang, 18 Jul 1978, EN 00780892 [“I told him to prostrate himself before the image of the two dogs. At first, he did not follow my command, but after some beating, he agreed to admit that he was a traitor”]; **D114/35.3** David Chandler, *Voices from S-21*, EN 00192825-27 [“‘Paying homage’ was one of a series of degradations designed to force prisoners to recognize their animal status.

- Their foreign masters were depicted as animals, and only animals would pay homage to them”]. *See also* **D4.1.96** Mam Nai alias Chan, S-21 Interrogator’s Notebook [discussing same in section untranslated into English on the case file].
- 2235 **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225393 [para (b) of list of nine “forms of propaganda” or “political pressure” to use to “put constant and repeated pressure on them at all times”].
- 2236 **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.39.35-09.43.37 [“There were wounds – many wounds on my back and the blood was on the floor”], 10.21.59-10.36.36 [“there were a lot of wounds on my back, I felt so painful [...] Him Huy used a stick to push under my back and a lot of gravels went inside the wound on my back so because it was so painful”], 14.29.21-14.32.19 [“It was to the inner side of my thigh. So once I was electrocuted, I fell unconscious”].
- 2237 **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.22.42-09.24.23, 09.39.35-09.43.37, 10.36.36 [“Q: [...] do you still have the scars or are they completely gone? A: The wounds recovered, but the scars are everywhere on my back, on my shoulders. They were the scars from being whipped or beaten”], 14.29.21; **D1.3.32.4** Bou Meng WRI, EN 00146764. *See also* **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 15.19.06-15.23.11 *confirming* **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait*, EN 00396842 [witness saw Bou Meng with “bandages covering bloody wounds all over his emaciated body”].
- 2238 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.08.26-10.10.05 [“I was beaten up and interrogated in that cell for 12 days and 12 nights”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 09.36.09-09.40.22, 10.00.36.
- 2239 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.36.05-10.37.50 [“They beat me, and I used my hand to protect myself. And as a result, one of my fingers was broken”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.00.36-10.08.11.
- 2240 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.37.50-10.40.25 [“they used electric shock on my ear [...] as a result, I lost consciousness [...] I was electrocuted twice”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.09.48-10.11.49.
- 2241 **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.13.56-11.16.19 [“my toe nail was pulled and they could not pull it out in one move, then they pulled it out very rapidly and it was so painful that I almost passed out”]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 11.28.20-11.33.10 [“the nails from two of my toes were removed [...] They poured alcohol on to my toes and did not apply any medicines on them”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.05.40-10.11.49.
- 2242 **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.37.50-10.40.25 [“I have not seen well out of one of my eyes since that time”]; **D234/2.1.107** Chum Mey, T. 19 Apr 2016, 11.16.19-11.18.07 [“on one side my ear is damaged. I can hear the ringing in my ear when I lightly knock on my head and I also am hard of hearing in my other ear”].
- 2243 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.06.58-15.08.53 [“I saw bleeding, scars, and wounds on the backs, hands, and feet of prisoners”]; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 13.54.53-13.55.53 [prisoners returned with “bruises on their faces and cuts on their backs”, and said they were beaten when the interrogators accused them of “concealing something”]; **D4.1.344** Lach Mean WRI, EN 00363555; **D234/2.1.116** Him Huy, T. 4 May 2016, 15.03.56-15.05.20; **D4.1.244** Him Huy WRI, EN 00161590 [“I just saw the back wounds, like that, when they brought the prisoners back”]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.18.33-15.20.00 [after interrogations, prisoners had “wounds and scars” on their bodies]; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 11.04.46-11.07.00 [“usually for the chewing group those prisoners were already tortured or they already had wounds or injuries on their bodies when they were sent to us”]; **D98/3.1.136** Prak Khan, T. 22 Jul 2009, 09.22.45-09.25.03; **D1.3.32.36** Prak Khan WRI, EN 00161583; **D98/3.1.29** Chhun Phal, T. 10 Aug 2009, 10.30.33-10.33.30 [“I saw the beating marks and wounds”]; **D1.3.32.9** Chhun Phal WRI, EN 00163814; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.36.50-15.40.42 [“I could see their nails were being removed -- or were removed and their back sustained some wounds”]; **D4.1.386** Iem Horn WRI, EN 00401858 [“Coming back from interrogation, some prisoners had wounds and bruises. Some died in their cells after returning”]; **D4.1.383** Ches Khieu WRI, EN 00401852 [“Upon their return they had bruises on their faces and cuts on their backs”]; **D4.1.387** Pen Heng WRI, EN 00163695 [“Sometimes I saw unconscious prisoners being carried back to the guard site. The prisoners had only a pair of shorts, so I could see the marks from their having been beaten on their backs”].
- 2244 **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.26.05-10.28.25; **D98/3.1.93** Kaing Guek Eav, T. 15 Jun 2009, 11.34.15-11.36.34, 16.22.17 [“Regarding the medical services, they existed but only [...] for the purpose to keep people alive long enough to be interrogated”]; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 10.03.40; **D4.1.382** Sek Dan WRI, EN 00163823; **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.16.35-

- 15.18.10; **D10.1.30** Makk Sithim WRI, EN 00401871; **D234/2.1.114** Prak Khan, T. 2 May 2016, 09.18.18-09.20.44; **D98/3.1.165** Nam Mon, T. 13 Jul 2009, 11.07.22-11.09.37.
- 2245 **D234/2.1.114** Makk Sithim, T. 2 May 2016, 15.03.13-15.06.37 [describing his daily routine: "I usually cleaned the wounds of the prisoners around 6 or 7 o'clock in the morning [...] then I had to wash the bandages that I used to wrap around the wounds"], 15.39.41-15.42.12 ["The prisoners that I treated told me that they were beaten up on their backs"], 15.55.36-15.57.37 ["They underwent great suffering. Nothing could be compared to the treatment of pulling off their nails. They were beaten up"]; **D234/2.1.115** Makk Sithim, T. 3 May 2016, 09.11.10 ["I witnessed fingernails and the toenails being removed as well as the open back wounds which I treated"], 09.12.20 ["There were small and large elongated sizes of wounds, and the wounds cut through the outer skin"], 10.10.58-10.13.00, 10.49.31-10.53.39 [witness personally saw prisoners with their nails removed "once every two weeks or every month", and saw three or four prisoners with "serious" open wounds]; **D10.1.30** Makk Sithim WRI, EN 00401871; **D4.1.363** Pes Math WRI, EN 00195709 ["I was on guard near Mak Sithem. I saw him cleaning wounds"]; **D98/3.1.146** Sek Dan, T. 3 Aug 2009, 09.30.08-09.32.39 ["They had wounds and sores on their bodies, especially on their backs [...] majority of them had wounds on their backs. Some of them had their fingernails or toenails missing"], 09.37.31 ["at night I heard the screaming and I saw the sores and the wounds. So when I provided treatment, I asked them how did they get the wounds and the sores and they replied to me that they were being interrogated"], 09.53.10-09.58.24 ["The wounds and the sores [...] mostly they were on the backs and on the arms and legs [...] I saw some lesions on the ears and some of the ears of the prisoners were torn"]; **D4.1.382** Sek Dan WRI, EN 00163823 ["there was never any period when the prisoners did not have wounds"].
- 2246 *See, e.g., D1.3.3.2* S-21 Execution List, *List of Prisoners Died of diseases and Executed from May 1976 to 15 May 1976*, EN 00874564-67 [list of 37 prisoners who died of disease or were executed from 1-15 May 1976, 13 of whom are identified as being "bruised" and "numb"]; **D4.1.357** Daily Prisoner Report, 21 Jul 1977 [list of 19 prisoners, two of whom (Nos 5 & 7) are noted as having "back wounds"]; **D10.1.108** S-21 Confession of Um Soeun (Excerpts), EN 00223146 [30 August 1975 annotation: "he was beaten to unconsciousness"].
- 2247 **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225393.
- 2248 **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.58.17 ["For those prisoners who refused to confess, those prisoners would be tortured"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 13.39.52-13.42.12 ["Talking about torturing, regardless of whether the prisoners were men or women, as long as that prisoner refused to confess, we had to use torture"], 14.15.10-14.16.55; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 11.10.02; **D4.1.245** Prak Khan WRI, EN 00161559 ["In the interrogation of enemies, the torturing was done with the sole intent of getting responses"]; **D4.1.378** Kung Phai WRI, EN 00163635 [Duch and company chairmen instructed that "prisoners were enemies, and that if they did not answer, they could be tortured"]; **D1.3.32.9** Chhun Phal WRI, EN 00163814 ["The interrogators had the job and the right to beat and interrogate in order to get documents"]; **D98/3.1.29** Saom Met, T. 10 Aug 2009, 15.31.46-15.34.57 [describing detainee tortured by Tuy after he responded he had "nothing else to report"]; **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.43.49-09.46.46.
- 2249 **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.43.49-09.46.46. *See also* **D98/3.1.94** Kaing Guek Eav, T. 16 Jun 2009, 09.53.05 ["if they could not really solve the problems through way of cool method, the hot method would be introduced"]; **D98/1.2.19** Kaing Guek Eav, T. 27 Mar 2012, 09.32.42-09.36.30; **D114/277.2** Kaing Guek Eav, T. 8 Jun 2016, 15.38.02-15.40.00 [if cold unit could not get answers, prisoners were assigned to "hot unit" or Comrade Tuy to use the "hot method to interrogate" and "grill for more answers"].
- 2250 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.15.10-14.16.55 ["sometimes, prisoners would confess upon the deployment of a cold method, but it did not mean that they would confess right away. It took one to two days, or four to ten days for them to confess; but some others did not confess, so we had to resort to other methods or they had to be tortured or they had to be beaten or that then we had to use plastic bag to suffocate them so that they confessed"].
- 2251 **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.21.40-11.23.23, 15.43.36-15.46.32; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.33.44 ["While obtaining confession we were strictly advised to obtain the information regarding the network of a detainee"], 11.22.44-11.26.40 [describing Duch instructions annotated on confessions: "For the incomplete confessions the annotation would write, 'Comrade, you have to interrogate further on this matter; for instance, on the treacherous network'"]; **D1.3.32.36** Prak Khan WRI, EN 00161576; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.50.50-15.54.52 ["We were assigned to interrogate because they want to find out the strings or network of traitors [...] it was the instruction that directed to the interrogators trying to discover the connections of the prisoners and their network to the CIA, Vietnam's

- Labour Party, the KGB”]; **D98/3.1.146** Lach Mean, T. 3 Aug 2009, 15.05.52-15.10.26 [“The purpose of the interrogation was to extract the response from the prisoner who was a traitor and then their network”]; **D98/1.2.6** Kaing Guek Eav, T. 27 May 2009, 12.03.27-12.05.23; **D98/1.2.19** Kaing Guek Eav, T. 27 Mar 2012, 09.39.30-09.42.15; **D54/80.1.38** Pon-Tuy S-21 Notebook, EN 00184506 [“Screening out the internal traitors is most necessary. We must do this without fail”].
- 2252 See, e.g., **D10.1.111** S-21 Report on Interrogation of Suor Heang, 18 Jul 1978, EN 00780892 [“I then electrocuted him several times, and I talked about politics to confuse him. He then agreed to tell me about his CIA networks”]; **D10.1.108** S-21 Confession of Um Soeun (Excerpts), EN 00223142 [annotation: “Did not confess! Torture!”]; **D10.1.3** S-21 Report on Interrogation of Ke Kim Huot alias Sot, 22 Jul 1977, EN 00242279 [“we forced him to eat 2-3 spoonfuls of excrement”]; **D10.1.7** S-21 Notebook, *Statistics List of Special Branch*, EN 00225395, 00225407 [“If the Party orders us to beat, then we beat with mastery, beat them to make them talk”]; **D114/37.1.70** S-21 Confession of Danh Siyan, 8 Jan 1976, EN 00225275 [annotation: “More precise questions must be asked and more serious torture must be used in order to make her talk about her strings”].
- 2253 **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 10.22.03–10.27.56 [“they started to beat me to answer when I entered CIA and KGB. I told them that I did not know anything about it and I could not answer anything about CIA and KGB. I kept repeating my responses and they kept beating me [...] how could I respond to them that I introduced anyone into the CIA, even myself. I did not know what CIA was”]; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.36.05-10.40.25 [“They beat me and asked me how many people were part of my network in the CIA and KGB. I told them I did not know what the CIA and KGB were [...] I told them that I did not know the CIA and KGB, and as a result, they beat me more and they used electric shock on my ear”], 10.40.25-10.44.06 [interrogators only stopped torturing Chum Mey when, after 12 days, he falsely confessed that he had “joined the CIA and KGB” and proceeded to implicate 68 other people], 11.26.25-11.30.42 [tortured after his interrogator told Hor that he “did not confess”]; **D98/3.1.34** Chum Mey, T. 30 Jun 2009, 10.05.40-10.08.11 [“they asked me about the KGB and CIA. That was the main focus; nothing else. And if we answered about other things then I would be beaten [...] I kept the same response that I did not know anything about the KGB or the CIA, then they used a plier to twist my toenail”], 10.17.13-10.19.54 [“They stopped interrogating me because I confessed that I joined the CIA and the KGB [...] I confessed that I did join the CIA or the KGB but actually it was a fabrication because I was beaten so severely, so I just implicated other people”]; **D114/37.1.68** Vann Nath, *A Cambodian Prison Portrait*, EN 00396834-35 [“When I was upstairs, I would hear them (the interrogators) swearing at the prisoners: ‘You are CIA!’ or ‘You are KGB!’ The words ‘CIA’ and ‘KGB’ were the main cause of death for people. In fact, none of us knew what the CIA and KGB were”].
- 2254 See, e.g., **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 450, 1273, 1448, 1537, 1624, 2368, 3223, 3994, 4707, 4797, 5308, 5342, 5610, 5729, 6084, 6090, 6095, 6402, 6622, 6876, 7207, 8176, 8618, 9876, 10189, 10571, 10650, 11478, 12218, 12219, 13381, 13870, 13911, 14156 [Division 164 prisoners identified as having Tuol Sleng confessions], Nos 1039, 4032, 7862, 8471 [Sector 505 and Division 117 prisoners with Tuol Sleng confessions], Nos 453, 592, 663, 678, 1576, 1755, 2109, 2249, 3645, 3685, 4168, 5025, 5465, 5555, 5911, 6168, 6172, 6390, 6601, 6650, 7297, 7613, 8223, 8472, 8982-83, 8988, 9899-9900, 9926, 10265, 10590, 11611, 11781, 12616, 12739, 12766, 12981, 12983-85, 12987-89, 12999, 13001-02, 13005-06, 13008, 13023, 13031, 13052-53, 13055, 13182, 13395, 13431-34, 13436-37, 13446, 13453, 13474, 13483, 13488, 13501, 13528, 13532-33, 13535, 13541, 13543, 13583, 13873 [prisoners sent from Kampong Som with Tuol Sleng confessions]. See also **D1.3.28.137** S-21 Interrogation Log for Special Prison, Dec 1978, Nos 4 [Chhoem Khon, Deputy Secretary of Sector 505, whose interrogation is noted as “Finished”], 6 [Svay Naunh, Chief of Division 117 Office, who was undergoing interrogation by Tit], 8, 15, 18; **D4.1.1115** Kaing Guek Eav WRI, EN 00147604 [“For westerners, I assigned Comrade Pon to interrogate”]; **D114/302** Kung Pai WRI, A73-85 [describing American prisoners brought to S-21 in 1978 who were interrogated by Duch]; **D54/4.1** S-21 Confession of Ronald Keith Dean, 21 Nov 1978; **D11/4.2.4** S-21 Confession of Michael Scott Deeds; **D54/4.2** Summary Report by Chann on S-21 Confessions of Ronald Keith Dean, Michael Scott Deeds and Christopher Edward Delance, 4 Jan 1979.
- 2255 See, e.g., **D54/104** Ek Ni WRI, A3, 10 [“Ta Mut held a meeting and said about confessions. Ta Mut announced that [Battalion 631 Chairman] Vet was traitorous. [...] A10: Ta Mut announced in a meeting about confessions of traitors, CIA and KGB agents”]; **D114/89** Seng Sin WRI, A60 [“Meas Muth read Norng Chhan’s confession out loud in the meeting. [...] A63: I only remember when [Meas Muth] talked about the traitors’ confessions”].

- 2256 See, e.g., **D10.1.111** S-21 Report on Interrogation of Suor Heang, 18 Jul 1978, EN 00780892 [“after some beating, he agreed to admit that he was a traitor, yet he did not tell me about his traitorous networks. I then electrocuted him several times [...] He then agreed to tell me about his CIA networks”]; **D10.1.103** S-21 Summary of Interrogation of Chout Nhe, EN 00758200 [“he did not confess to being a traitor until he had been tortured”]; **D10.1.3** S-21 Report on Interrogation of Ke Kim Huot alias Sot, 22 Jul 1977, EN 00183285-90, FR 00951214-15, KH 00014095-96 [section IV of report provides a detailed account of the torture used over a three-day period at the outset of Sector 7 Secretary Sot’s imprisonment, in which he was “pounded,” electrocuted twice, and forced to “eat two or three spoonfuls of shit,” and section VI states: “My operative line is to continue to torture with mastery, because the enemy is breaking emotionally and is at a dead end [...] I ask for opinion and guidance from Angkar in carrying out this task”].
- 2257 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 09.29.29 [“reports concerned the enemies’ confessions, and the reports usually included that this particular prisoner was interrogated and tortured with this or that level”], 09.29.29-09.31.47 [“the Co-Investigating Judges asked me whether or not the superior of upper echelon allowed torture to be inflicted. And my response was that yes. That was why there was reports indicating that I beat this or that person and this or that person only answered after I beat him or her. And that could be seen in the reports”], 09.36.55-09.39.23 [Son Sen told Duch “to instruct the interrogators to note down how much torture they used during the interrogation”], 09.42.41-09.46.17, 11.22.52-11.31.07 [discussing two interrogation reports describing the use of torture, including **D10.1.111**]; **D98/1.2.16** Kaing Guek Eav, T. 20 Mar 2012, 10.07.46-10.11.21; **D98/1.2.18** Kaing Guek Eav, T. 26 Mar 2012, 15.38.28-15.40.15; **D4.1.1115** Kaing Guek Eav WRI, EN 00147604 [stating that he knew details of the methods of torture used at S-21 “through reading the reports”]. See also **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.09.22-11.11.22 [“The purpose to interrogate prisoners was to obtain a confession. And after the confession was obtained, that would be sent to the upper echelon [...] I would forward the confession or I would make a report to the superiors”].
- 2258 **D1.3.26.5** BBC-SWB, *Confession of a Captured SRV Sailor*, 29 Jan 1978, EN S 00008894-96 [radio broadcast of “confession by (Vu Dinh Ngo, OCIJ S-21 Prisoner List, No. 13474), former midshipman of the Thieu-Ky puppet navy, who was captured on 3rd January 1978”]; **D64.1.38** FBIS, *Confession Reveals SRV Plan to Annex Takeo Province*, 12 Feb 1978, EN 00169232-36 [DK radio broadcast of confession of Tran Van Thuong (OCIJ No. 9888), “who was captured on 18 January in the Cambodian sea”]; **D64.1.38** FBIS, *Confession Reveals SRV Plan to Capture Cambodian Islands*, 21 Feb 1978, EN 00169276-77 [DK radio broadcast of confession of Thieu Loc (OCIJ No. 8403), “captured on 1 February in the Cambodian sea”]; **D64.1.41** FBIS, *Radio Carries Confession of Cambodian-Speaking SRV Spy*, 16 Mar 1978, EN 00169934-36 [DK radio broadcast of confession of lieutenant Sam Kim (OCIJ No. 8257), captured “on 14 February 1978 on Cambodia’s Koh Pring Island”]; **D64.1.35** FBIS, *Captured Naval Officer Cites Coercion*, 10 Apr 1978, EN 00168793-94 [DK radio broadcast of confession of Vinh Minh Chau (OCIJ No. 13463), “captured off Angkrang Island in March”]; **D1.3.1.13** S-21 Confession of Vinh Minh Chau, 3 Apr 1978; **D10.1.68** FBIS, *Captured SRV Officer Relates Attack Plans*, 5 Jun 1978, EN 00169799-800 [DK radio broadcast of confession of lieutenant Nguyen Thanh Quang (OCIJ No. 13458) “captured in Cambodian waters on 13 March”], *Confession of Spy Sargeant Captured 29 March Reported*, 29 Jun 1978, EN 00169865-66 [DK radio broadcast of confession of Vinh Tu Phuong (OCIJ No. 13529), “captured by Cambodian forces off Poulo Wai in March”]; **D64.1.45** FBIS, *Confessions of Vietnamese Spy Captured on Poulo Wai Island*, 17 Oct 1978, EN 00170273-74 [DK radio broadcast of confession of “Vietnamese POW Tran Van Long (OCIJ No. 14820), captured on 2 September 1978 at Poulo Wai Island”]. See also **D98/1.2.1** Kaing Guek Eav, T. 18 May 2009, 11.44.04-11.47.58 [“radio broadcasts of the full confessions were only done by way of using the confessions of the Vietnamese detainees”]; **D98/3.1.85** Kaing Guek Eav, T. 29 Apr 2009, 15.56.29-15.58.36; **D98/3.1.91** Kaing Guek Eav, T. 10 Jun 2009, 09.33.27-09.35.57; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.04.07-09.07.06; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 11.26.40-11.29.44 [“Regarding the Vietnamese prisoners of war, they were interrogated by Chan and their confession would be recorded and broadcast on radio”]; **D4.1.245** Prak Khan WRI, EN 00161556-57; **D4.1.346** Mam Nai alias Chan WRI, EN 00162917-18 [“Q: Did the Vietnamese soldiers who were interrogated make confessions? A: They did, and they were sent to upper echelon, and some were recorded and broadcast on the radio [...] we interrogated in Vietnamese, translated, and then we broadcast”]; **D98/3.1.290** Sa Siek, T. 16 Aug 2012, 14.14.48-14.22.10; **D4.1.408** Chhouk Rin WRI, EN 00268873 [Southwest Zone cadre confirms hearing “Democratic Kampuchea Radio broadcast information from the confessions of Vietnamese prisoners of war”].
- 2259 **D114/277.4** Kaing Guek Eav, T. 13 Jun 2016, 15.11.42-15.17.31 [describing film of Vietnamese prisoners in

their uniforms that was ordered by Nuon Chea, and made by Pol Pot's nephew Theng, parts of which were filmed inside S-21]; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 10.51.06-10.52.38 ["The film screened to the staff showed the interrogations and the Vietnamese prisoner[s] giving a confession"]; **D234/2.1.116** Him Huy, T. 4 May 2016, 14.28.46-14.34.05, 15.05.20-15.07.20 ["what I saw in the film was that they were ordered to walk single file and later on they were executed and they were disemboweled"], 15.11.10-15.15.53; **D4.1.346** Mam Nai WRI, EN 00162920 [regarding Vietnamese POWs: "I know they once made a film"].

2260 **D114/277.7** Kaing Guek Eav, T. 16 Jun 2016, 09.48.34 ["Q: Were those Vietnamese prisoners tortured? A: Yes, but not seriously [...] although they were told to confess what I said. Of course, prisoners of war and spies were tortured in order to get confessions. So forcing them to say what I just said was not serious torture"]; **D98/3.1.91** Kaing Guek Eav, T. 10 Jun 2009, 09.33.27-09.35.57 ["The objective is determined from the upper echelon and I, myself, I ordered the interrogators to do what it took in order to receive the objective of the upper echelon, that is, Vietnam invaded Cambodia in order to put Cambodia into the Chinese federation"], 09.35.57-09.38.48 [asserting there was only a "little torture" because the interrogations were done by Mam Nai], 10.04.15-10.07.07 [acknowledging torture was used on Vietnamese soldiers and civilians "when it was unavoidable"], 11.57.14 ["Q: So that means they were forced to confess to the way that you wanted? A: If we wanted them to say that the Vietnamese soldiers were starved and did not have any food to eat, they had to say that in their confession"]; **D114/301** Chhun Phal WRI, A47-51 [statement of former S-21 guard who witnessed bruises on Vietnamese prisoners when they returned from interrogations and testified those prisoners were sometimes "severely tortured"]; **D114/302** Kung Pai WRI, A101 ["Vietnamese prisoners were tortured like Khmer prisoners. They were whipped and electrocuted"].

2261 **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 13.54.40-13.56.10, 14.31.22-14.32.35 ["Whoever was sent to S-21 had to be smashed"]; **D234/2.1.121** Kaing Guek Eav, T. 21 Jun 2016, 09.46.30-09.49.12; **D98/1.2.22** Kaing Guek Eav, T. 2 Apr 2012, 14.48.51-14.53.10; **D54/6.1.9** Kaing Guek Eav, T. 30 Apr 2009, 09.44.22-09.48.09; **D98/3.1.89** Kaing Guek Eav, T. 8 Jun 2009, 09.46.18-09.51.17 ["The people who were arrested and sent to S-21, those were regarded as enemies; they had to be smashed. This is a policy no one can violate"]; **D4.1.1112** Kaing Guek Eav WRI, EN 00185477 ["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"]; **D4.1.1116** Kaing Guek Eav WRI, EN 00153569; **D114/37.1.7** Kaing Guek Eav Interview, 4-6 May 1999, EN 00185053 ["the first main principle was whoever entered S-21 had to be smashed"]; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.11.17-09.13.02 [referring to Duch: "He said anyone who was brought to S-21 would not have the chance to go out, and that the person would be killed"]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.29.38-11.33.04, 11.49.42-11.56.48; **D98/3.1.55** Him Huy, T. 20 Jul 2009, 10.07.36-10.09.00, 13.43.58-13.46.00; **D4.1.244** Him Huy WRI, EN 00161591; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 11.26.32-11.29.53 ["from my experience, at S-21, if people were brought in, they would never be let out"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 14.29.44-14.31.45; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.30.38-10.33.44; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.54.52-15.58.17; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 13.52.10-13.56.20 ["It was the reality that after they came into S-21 and after their interrogations were concluded, they were considered dead already [...] When they were brought in, they were supposed to be killed"], 13.58.48-14.01.10. *See also* **D114/35.3** David Chandler, *Voices from S-21*, EN 00192727 [describing S-21 as a "macabre project whereby all the prisoners, regardless of their actions and before they started talking, were condemned to death"], 00192694 ["Strictly speaking, S-21 was an interrogation and torture facility rather than a prison [...] The facility served primarily as an anteroom to death"].

2262 **D234/2.1.121** Kaing Guek Eav, T. 21 Jun 2016, 09.44.50-09.46.30; **D234/2.1.106** Chum Mey, T. 18 Apr 2016, 10.54.12-10.58.26 ["There were two points regarding my survival: The first point is about my knowhow and skill repairing the typewriter. I was the only one who knew how to repair the typewriters. That's why they spared my life. And later on, the second point is when the Vietnamese troops and the Front troops came [...] Without 7 [January] 1979, I would not survive"], 14.49.01 ["Overall, there were 7 survivors. Now, only two of us are still alive"]; **D98/3.1.313** Vann Nath, T. 29 Jun 2009, 10.12.27, 11.45.45-11.48.38 [discussing how many prisoners remained on 7 January 1979: "at that time we left the painting workshop there were woodcrafters, electricians, blacksmiths and there were about 13 of us [...] And there were no other prisoners remained"]; **D98/3.1.8** Bou Meng, T. 1 Jul 2009, 09.56.24-10.02.24, 11.05.16-11.09.59; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.57.36-09.59.55; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.51.04-09.56.21 ["prisoners who were spared from being smashed [...] The people who were

artists, and Dy Phon the dentist, and the other people were spared also to assist the work at S-21 [...] Maybe there are about 15 people, people who had been used temporarily at S-21. I see Mr. Chum Mey here in the Court. He is one”].

2263 **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 10.01.28-10.03.37 [“I would prepare the list of [...] outgoing prisoners”]; **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 15.02.16-15.04.32; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 15.38.08-15.47.18 [“Hor would give the list to me to verify the numbers, the names, especially who would be taken away to be smashed and who would remain at the premises. And after that I have to register in the list [...] then I would give the list back to Hor who later on assigned his men to take the prisoners out”]; **D54/6.1.24** Suos Thy, T. 28 Jul 2009, 09.52.08-09.57.15 [when prisoners were removed for execution, witness verified “the names of the detainees to be executed”]; **D4.1.347** Suos Thy WRI, EN 00162616-17.

2264 **D1.3.3.2** S-21 Execution List, *List of Prisoners Executed on 16 September 1976*, EN 00874455-64 [106 prisoners], *List of Prisoners Executed on 6 December 1976*, EN 00874178-87 [102 prisoners killed (2 additional prisoners are listed as having died from disease)]; **D1.3.28.40** S-21 Execution List, *Names of Prisoners Smashed 15-31 January 1977*, EN 00873378-92 [identifying that Nos 1-146 on the list were all executed on 28 January 1978], *Names of Prisoners Smashed on 17 March 1977*, EN 00873336-44 [101 RAK cadres executed (two additional RAK prisoners are listed as smashed on 25 February 1977)], *Names of Prisoners Smashed on 18 March 1977*, EN 00873356-65 [109 people], *Electricity Section, Smashed on 6 April 1977*, EN 00873155-65 [list of 100 executed Electricity workers], *Names of Prisoners Smashed on 12 May 1977*, EN 00873392-405 [152 prisoners], *Names of Prisoners By Division Smashed on 10 June 1977*, EN 00873500-20 [198 RAK cadres], *Names of Prisoners Taken in and Smashed on 20 June 1977*, EN 00873568-91 [256 prisoners], *Names of Prisoners Smashed on 6 July 1977*, EN 00873450-61 [127 Division 310 and 450 cadres], *Names of Prisoners Smashed on 16 July 1977*, EN 00873130-43 [110 prisoners], *Names of Prisoners Smashed on 20 July 1977*, EN 00873466-86 [231 people killed], *List of Prisoners from Bong Huy Srae’s Section Smashed on 3 August 1977*, EN 00873521-40 [229 prisoners originating from Divisions 310 and 450], *Names of Prisoners Smashed on 3 August 1977*, EN 00873557-58 [additional 12 prisoners killed same day, for total of 241], *Names of Prisoners Smashed on 15 October 1977*, EN 00873281-320 [418 prisoners], *Names of Prisoners Smashed on 18 October 1977*, EN 00873633-50 [179 people], *Names of Prisoners Smashed on 23 October 1977*, EN 00873592-605 [150 prisoners], *Names of Prisoners Smashed on 23 November 1977*, EN 00873321-31 [107 prisoners], *Names of Prisoners Smashed on 9 December 1977*, EN 00873605-33 [301 people].

2265 While the OCIJ S-21 Prisoner List contains only 5,512 execution dates, that is because the analyst who prepared the list focused her review on entry lists documenting the arrival of prisoners at S-21, and did not review all available execution lists and record those dates in the OCIJ spreadsheet. **D234/2.1.144** Hin Sotheany, T. 9 Jan 2017, 09.56.39, 10.36.23-10.41.07, 11.01.54, 11.06.05-11.08.46, 11.35.27-11.36.57, 13.35.27-13.36.56, 13.54.48-13.56.10 [“Q: Do I understand correctly that you did not have sufficient time to go through all the execution lists and put all those dates into the spreadsheet; is that correct? A: That is correct”], 14.08.51-14.18.27 [confirming that dates from four large execution lists were not included because of lack of “sufficient time”]. A subsequent review of S-21 execution lists by OCP confirmed execution dates for over 5,600 additional prisoners, more than doubling the number of prisoners with documented execution dates.

2266 **D234/2.1.116** Him Huy, T. 4 May 2016, 10.47.06-10.49.10 [stating that the “average” execution was “from 50 prisoners up to 100 of them,” and that sometimes they had to make multiple trips to Choeung Ek because their two vehicles could each only hold “30 up to 40 prisoners”]; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.16.48-15.19.12 [“more than 50, close to 100 each time”]; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 15.31.56-15.34.39 [prisoners would be brought to Choeung Ek in groups of “20 or 30 or 50 prisoners at a time”].

2267 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592-593, 596-597, 600, 604, 609, 613, 615-616, 620, 625, 645-646, 649-650, 653, 663, 676, 679-680, 12981, 12983-85, 12987-88, 12999, 13001-02, 13005-06, 13023, 13031, 13052-53, 13055, 13432-34, 13436-37, 13642-43, 13645, 13653; **D1.3.3.2** S-21 Execution List, EN 00874373-75 [Nos 1-31 are all Thai fisherman sent to S-21 on 7 May 1976 and executed 24 May 1976], EN 00874556-60 [Nos 234-284 are 17 Vietnamese and 34 Thai sent from Kampong Som on 7 May 1976 and executed on 24 May 1976].

2268 **D114/277.2** Kaing Guek Eav, T. 8 Jun 2016, 14.11.25-14.16.29; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.13.39-09.20.21, 09.28.41-09.32.13 [“psychiatric hospital in Takhmau” one of “three main sites” used by S-21 for executions over course of DK regime [...] At PJ, they did not kill or bury the prisoners [...]

- I believe that they were killed at the Ta Khmau and PJ was just a detention centre for interrogation”]; **D98/3.1.84** Kaing Guek Eav, T. 28 Apr 2009, 09.48.10, 09.54.14-09.57.23; **D4.1.860** Kaing Guek Eav WRI, EN 00403925.
- 2269 **D114/277.2** Kaing Guek Eav, T. 8 Jun 2009, 10.08.47-10.11.23; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.20.21, 09.22.24-09.28.41, 10.36.30-10.39.25, 11.07.46-11.10.31, 11.13.22-11.25.49 [“second site” used by S-21 for executions was “the area surrounding to the S-21 in Phnom Penh [...] the people who were killed inside the S-21 compound and the surrounding areas were numerous”, describing prisoners being taken out “blindfolded” to be killed “two or three at a time up to 28 prisoners per day”]; **D98/1.2.8** Kaing Guek Eav, T. 22 Jun 2009, 09.35.21-09.37.36; **D1.3.33.8** Kaing Guek Eav WRI, EN 00149911; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.11.55-15.15.34, 15.22.47-15.25.39 [prisoners were killed and buried in pits in an “open space” to the west of the compound [...] prisoners were also killed and buried at a site 100 metres south of the compound]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.49.42-11.56.48; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 09.26.46-09.28.56, 09.49.40-09.53.30, 09.55.30-09.59.10 [at the beginning of his work at S-21, prisoners “were taken out to be killed at nearby places”, 09.55.30-09.59.10 [“I saw the dead bodies were buried, especially at the former Saing Sarun theatre. So from the alleys near the fire station to that theatre, it was all graveyards for the executed prisoners”]; **D4.1.387** Pen Heng WRI, EN 00163695-96.
- 2270 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.13.19-15.15.34, 15.16.48-15.19.12 [“Peng’s group dug the pits and killed the prisoners [...] It was the unit of 100 men or the group chiefs of the guard unit [...] Prisoners were normally taken out to be killed at around 8 and 9 p.m.”]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 11.52.33-11.56.48, 11.59.19-12.02.06 [“When they were killed, first they were asked to sit at the edge of the pit. Then they were struck. Then their throats will be slashed. Then they would take off the clothes and then the handcuffs”]; **D4.1.387** Pen Heng WRI, EN 00163695-96 [“I saw them when I walked the prisoners. Sometimes they had the prisoners sit, and sometimes they had them stand at the edge of the pit, but the prisoners were still in restraints. And they used water pipes to hit the base of their necks, and kicked them into the pit”].
- 2271 **D234/2.1.116** Him Huy, T. 4 May 2016, 10.32.37-10.35.55; **D234/2.1.117** Him Huy, T. 5 May 2016, 13.43.08-13.45.50 [“Important people were killed within the vicinity of Tuol Sleng, and not transferred to Choeung Ek”]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 14.14.58-14.17.26; **D4.1.244** Him Huy WRI, EN 00161592; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.25.27-09.28.41, 09.41.41-09.45.40 [key detainees were “killed somewhere near Mao Tse Tung Boulevard”]; **D4.1.1117** Kaing Guek Eav WRI, EN 00154194 [describing pond “close to the intersection of Mao Tse Tung Boulevard and Street 163” that was location “where Vorn Vet, Chhay Kim Hor and Nath were killed”]; **D4.1.920** Kaing Guek Eav WRI, EN 00414346; **D1.3.32.21** Kok Sras WRI, EN 00705430.
- 2272 **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 09.49.58-09.56.32, 10.04.16-10.06.52 [“Nat, Brother Vorn and Brother Hok were photographed as well by me under the instructions of the upper echelon”]; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 09.41.41-09.45.40 [“photos had to be taken and to prove the severity and that the detainees surely died. Then their throat had to be slit”]; **D54/6.1.24** Kaing Guek Eav, T. 28 Jul 2009, 11.33.29-11.36.03; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147526 [“[Son Sen] ordered the photographing of those killed, but just photographing the important ones and those close to people at S-21 [...] I received the photographs and sent them to Nuon Chea”]; **D98/3.1.147** Lach Mean, T. 4 Aug 2009, 16.11.11-16.13.16 [“Sry worked at the Special Unit who took photographs of the important people who were killed”]; **D234/2.1.131** Noem Oem alias Nim Kimsreang, T. 15 Sep 2016, 13.50.29-13.52.32, 15.44.52-15.56.19 [testimony of head of S-21 photography unit admitting that Comrade Sry took “photos of the high ranking Party members”].
- 2273 **D1.3.28.40** List of Prisoners Who Were Smashed and Photographed on 8 December 1977, EN 00873280-81, KH 00009146 [Division 164 Deputy Secretary Dim is No. 2 on list, which also includes General Staff Deputy Seat Chhae alias Tum, the Regiment 152 Secretary and the Division 290 Deputy Chief]; **D4.1.253** List of Prisoners from General Staff, Nos 5-7, 11 [entries for S-21 cadres contain annotation: “Removed & Photo taken”]. *See also* **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 2047 [Division 170 Secretary], 11460 [Division 805 Secretary].
- 2274 **D234/2.1.116** Him Huy, T. 4 May 2016, 09.55.12-09.58.46 [“The Vietnamese soldiers who had been arrested were killed after their interrogations had been concluded. They were killed behind the Tuol Sleng prison, to the south [...] Peng’s group was the group who killed those people”], 14.30.53-14.34.05; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 13.49.27-13.52.24; **D4.1.244** Him Huy WRI, EN 00161591; **D1.3.32.21** Kok Sras WRI, EN 00705430 [“Thai, and Vietnamese prisoners were killed outside the S.21 compound (south and west)”].

- 2275 **D53/2.1.30** Kaing Guek Eav, T. 2 Apr 2012, 14.25.57 ["With regard to the Thai fishermen, there was no important consideration regarding them, because they were executed summarily"]; **D114/277.7** Kaing Guek Eav, T. 16 Jun 2016, 10.40.05-10.41.52 ["Thai fishermen or Siam fishermen were considered spies, and they were smashed"]; **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 11.22.43-11.27.14 [also describing how Hor was sent from S-21 to smash hundreds of "Thai people at Kampong Som"].
- 2276 **D114/277.4** Kaing Guek Eav, T. 13 Jun 2016, 15.09.07-15.10.40, 15.20.50-15.22.27 ["many 'Yuong' soldiers were arrested and brought to the centre" [...] confirming that Vietnamese "civilians and soldiers had to be smashed"]; **D98/3.1.91** Kaing Guek Eav, T. 10 Jun 2009, 09.31.12-09.33.27, 09.38.48-09.40.49, 10.04.15-10.07.07 ["from the 6th of January [1978], as I recall, the Vietnamese soldiers were entering in increasing numbers to S-21 [...] All of them were ordered to be smashed"]; agreeing that at least 345 Vietnamese were imprisoned and ultimately killed at S-21]; **D4.1.1109** Kaing Guek Eav WRI, EN 00177587 ["As regards the numbers of Vietnamese detained, I cannot be very precise but I can say there were hundreds, and that all of them were executed. [...] Regarding the soldiers, they arrived in uniform and were executed either immediately after their confession, or the radio broadcast of their confession"].
- 2277 **D4.1.244** Him Huy WRI, EN 00161591 ["Q: [...] did they keep the Vietnamese soldiers long before killing them? A: They kept them for about half a month. After interrogation they took them to kill"]; **D4.1.245** Prak Khan WRI, EN 00161556 ["they were not interrogated for a long time, not many times, so it was unlike the Cambodians. For them, they were interrogated one or two days and then they disappeared, that was the end of it"].
- 2278 **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.09.11-09.11.13; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 10.09.55-10.13.36, 14.06.41-14.09.16; **D98/3.1.136** Prak Khan, T. 22 Jul 2009, 09.17.55- 09.21.08.
- 2279 See, e.g., **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 9856 [14-year-old Troeung Thinhieng as "Farmer 'Vietnamese' (Study)", entered S-21 28 Apr 1978, executed 30 Apr 1978], 9902 [14-year-old Ngvieng Thimom executed 30 April 1978], 12619 [13-year-old Ngvieng Yaing Vin as "Spy of Vietnamese", entered 28 Oct 1978, executed 31 Oct 1978], 12623 [7-year-old Troeng Yaing Fak as "Spy of Vietnamese", entered 30 Oct 1978, executed 31 Oct 1978], 10130 [13-year-old Vietnamese girl Vin Thi Ngok as "Soldier of Yiek Kong 'Vietnamese'", entered S-21 on 6 May 1978, executed 14 May 1978], citing **D114/37.1.11** S-21 Photograph of Vin Thi Ngoc S-21 photograph, EN P 00000223.
- 2280 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 8401 [17-year-old Trin Vin Hong as Spy "Vietnamese"], 8405 [15-year-old Loeng Minh Tun Hay as "Spy 'Vietnamese'"], 8408 [16-year-old Trinh Vok Hour as "Vietnamese"].
- 2281 **D234/2.1.116** Him Huy, T. 4 May 2016, 15.15.53-15.18.40 [discussing execution of two Westerners: "They were taken and executed at the road to the north of the compound"].
- 2282 **D114/277.3** Kaing Guek Eav, T. 9 Jun 2016, 15.08.59-15.10.43, 15.13.31-15.17.28 [regarding Westerners at S-21: "they were smashed per instructions. To smash here means they were burned with tires, car tires, so that there was no bone left behind". [...] Duch was instructed by Nuon Chea that "the long nose people had to be smashed and that they had to be burned completely so that there was no evidence left behind"]; **D114/277.6** Kaing Guek Eav, T. 15 Jun 2016, 10.06.52-10.09.00; **D98/1.2.23** Kaing Guek Eav, T. 3 Apr 2012, 09.33.00-09.35.23; **D98/1.2.22** Kaing Guek Eav, T. 2 Apr 2012, 14.29.20-14.35.52; **D4.1.1117** Kaing Guek Eav WRI, EN 00154194; **D1.3.33.3** Kaing Guek Eav WRI, EN 00147526; **D234/2.1.116** Him Huy, T. 4 May 2016, 15.15.53-15.18.40 ["Ta Duch ordered Ta Hor not to bury the bodies of foreigners and that their bodies had to be burned. At that time I was on guard in the vicinity [...] I saw the burning of the dead bodies"]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 13.45.42-13.49.27 ["I saw they were burned with car tires"]; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.49.05-09.52.04; **D98/3.1.212** Prak Khan, T. 21 Jul 2009, 14.02.59-14.06.41; **D98/3.1.19** Cheam Sour, T. 5 Aug 2009, 09.39.32-09.49.25.
- 2283 **D234/2.1.115** Him Huy, T. 3 May 2016, 15.27.09-15.29.42 [stating that a guard unit was assigned to Choeung Ek to "dig the pits and kill the prisoners"]; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 14.33.27-14.37.24, 15.14.52-15.16.30, 15.49.24-15.50.40; **D4.1.248** Tay Teng WRI, EN 00401876; **D10.1.117** Kaing Guek Eav Written Record of Confrontation, EN 00165437 [Chhun Phal confirms digging of mass graves and burial of bodies]; **D98/3.1.83** Kaing Guek Eav, T. 27 Apr 2009, 10.13.47-10.16.48 ["The guards who were stationed at Choeung Ek was part of the special force [...] they were responsible for digging the pits and buried the corpses"]; **D98/3.1.95** Kaing Guek Eav, T. 17 Jun 2009, 10.36.30-10.39.25.
- 2284 **D234/2.1.116** Him Huy, T. 4 May 2016, 10.43.32-10.45.08, 10.51.25-10.53.09; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 13.54.57-13.59.15; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 15.19.51-15.22.43 ["Prisoners were brought in at around 7 p.m."], 15.28.03-15.30.24; **D234/2.1.110** Tay Teng, T. 25 Apr 2016, 09.20.54-

- 09.22.28; **D4.1.248** Tay Teng WRI, EN 00401877.
- 2285 **D234/2.1.118** Suos Thy, T. 2 Jun 2016, 15.02.16-15.04.32; **D234/2.1.119** Suos Thy, T. 3 Jun 2016, 09.44.51-09.47.39; **D4.1.347** Suos Thy WRI, EN 00162617 ["When he got the notations from Duch, Hor gave them to me to extract the names to make a general list [...] After the lists were made and the numbers of those to be removed were tallied, I recorded the cell and building numbers and sent them to Hor to give to the company to take the people out. [...] They were very careful in the verification of the lists of prisoners to be removed. [...] So the prisoners taken from the cells, it was the guards who went and took them, and I waited at the door to check"].
- 2286 **D10.1.117** Kaing Guek Eav Written Record of Confrontation, EN 00165437 [Him Huy: "Regarding my specific role, I was the head of the unit in charge of the transfer of prisoners from S21 to Choeung Ek"]; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.33.33-15.37.02; **D234/2.1.116** Him Huy, T. 4 May 2016, 09.46.15-09.47.30 ["Thy's group, at the time, gave me a list of [prisoners] to be sent to Choeung Ek"], 10.54.28-10.59.05 ["I would do the head count when the prisoners were being loaded onto the vehicles and then, when we arrived at Choeung Ek, I would do the head count again when they were being loaded off"]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 13.54.57-14.09.25 ["After having the lists of the detainees to be executed [...] people would be removed from their detention cells and walked from that prison, and the truck would be parked next to the gate [...] So in each load there could be 60, 70 or up to 100 prisoners. [...] when I went to transport them then I take the list and then I would check the names against the list that I was given to make sure that the total number of the prisoners was correct. [...] Upon arrival then the names would be checked again"]; **D4.1.347** Suos Thy WRI, EN 00162618; **D4.3.32.9** Chhun Phal WRI, EN 00163813; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 15.19.51-15.22.43, 15.24.19-15.28.03; **D4.1.248** Tay Teng WRI, EN 00401877 ["they transported prisoners from S21 [...] with Huy and his team coming along in the trucks each time"]; **D10.1.29** Meas Peng Kry WRI, EN 00163707.
- 2287 **D10.1.117** Kaing Guek Eav Written Record of Confrontation, EN 00165437 ["Meas Peng Kry: prisoners were unloaded from the truck to be taken to the wooden house. [...] Him Huy: [...] Hor ordered me to designate someone to meet and guard the prisoners at Choeung Ek. Tay Teng's group was in charge of that. It was made up of eight persons and had to dig graves and execute the prisoners. [...] Tay Teng: That is correct. Brother Huy was my superior"]; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 15.31.56-15.34.39 ["When the prisoners were brought away to be killed, each of them were taken out one at a time until they were all killed"]; **D4.1.248** Tay Teng WRI, EN 00401877; **D234/2.1.116** Him Huy, T. 4 May 2016, 10.41.10-10.42.08, 10.43.32-10.45.08, 10.54.28-10.56.26, 11.00.20-11.02.56; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 14.04.56-14.09.25.
- 2288 **D234/2.1.116** Him Huy, T. 4 May 2016, 11.00.20-11.02.56, 11.05.30-11.09.11, 14.13.55-14.15.45 ["the prisoner was walked to the rim of the pit. The prisoner was asked to crouch down. Then a metal bar of the shackles was used to strike the nape of the neck and the throat was slashed as well. [...] Prisoners were also disemboweled. The shackles or cuffs had to be removed, then they would be thrown into the pit. [...] At that location, there was a knife -- that is, a knife for cutting palm trees. [...] after the prisoner was struck down, they had their throat slashed with that knife. [...] It was Hor and Duch who taught us how to kill prisoners that way [...] Ta Hor and Ta Duch gave instructions that after striking their necks, we had to slash their throats and the purpose of the disembowelment was not to allow the body to swell so that [...] the stench would get out, and people would know about that"]; **D98/3.1.54** Him Huy, T. 16 Jul 2009, 14.09.25-14.11.59, 14.35.47-14.39.17, 16.12.11-16.14.18 ["Before the prisoners were taken to be killed, then we were instructed on how to execute them. After we struck the blow to the neck, then we have to slit their necks to make sure they were dead"]; **D234/2.1.109** Tay Teng, T. 21 Apr 2016, 15.36.04-15.39.10, 15.39.10-15.43.01, 15.52.42-15.54.20 ["Each of them was told to sit at the rim of the pit and then that individual was smashed. They were hit from the back. [...] confirming his statement in **D4.1.248** described the "usual process of execution". Confirming his unit "personally carried out some of the killings at Choeung Ek"]; **D234/2.1.110** Tay Teng, T. 25 Apr 2016, 09.22.28-09.24.19 ["They used iron bars to beat people to death. [...] they were the iron axles the width of a knife handle and about a half a metre long"]; **D4.1.248** Tay Teng WRI, EN 00401877 ["they sat about one meter from the edge of the pit. [...] they used a water pipe to strike the base of their necks. When the prisoners fell over, they removed the handcuffs. Then they also used knives to finish killing them"].
- 2289 **D98/3.1.54** Him Huy, T. 16 Jul 2009, 14.04.56-14.09.25 ["Q: [...] for such a large number of people how long did it take to have them killed? A: It took hours. We departed Phnom Penh around 8 o'clock and we arrived there about 8.30 [...] and it's finished by about 1 or 2 a.m. in the morning"].

- 2290 **D234/2.1.116** Him Huy, T. 4 May 2016, 11.00.20-11.02.56, 11.09.11-11.10.26 [“Ta Hor was also there. He was the one who organized the execution and how each prisoner had to be walked to the pit to be killed. [...] Ta Hor was in the same vehicle as we were. [...] Q: And just to be clear, did he come every single time you went or did he come most of the time, sometimes, rarely? A: He came every time. [...] Every time there was a batch of prisoners who had to be brought there, Hor would accompany them”].
- 2291 **D234/2.1.116** Him Huy, T. 4 May 2016, 11.00.20-11.02.56, 11.04.22-11.05.30, 14.15.45-14.19.50 [“When the prisoners were sent out [...] of the house [...] there was a chair for me. I, at that location, took the name one by one and, after the names were recorded, they were sent away for execution. [...] there was a lightbulb and a chair and their names would be written down there, and then they were taken directly to the pits. [...] I had to write down sequential numbers and write down the prisoners’ names. [...] The list of names from Tuol Sleng was with Thy and he instructed me to re-write the names again so that he could use my list to check with the list in his possession [...] upon arrival at Tuol Sleng, I gave that list of names to Suos Thy”]; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.33.33-15.37.02 [“When I went to Choeung Ek [...] I was to record the names of the prisoners and after that the report would be sent back to Suos Thy. And if one prisoner was gone from the list, I would be responsible for that”]; **D98/1.2.9** Suos Thy, T. 27 Jul 2009, 15.50.38-15.53.42 [describing verification of lists after executions].
- 2292 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 09.28.42-09.31.05, 09.36.55-09.39.32, 13.50.15-13.53.40, 14.06.09-14.09.14 [“The figure of 8,985 is the figure given by the Office of Propaganda and Culture [...] There were more than 100 gravesites and among those gravesites, only 86 gravesites were exhumed”]; describing location of unexhumed graves].
- 2293 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 09.39.32-09.40.52, 15.11.02-15.12.44 [“those bones remained on the ground for two to three years”].
- 2294 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.11.02-15.16.25 [testifying that the bones were in the wooden stupa for “three to four years,” identifying photos of structure, and testifying: “it was not well maintained [...] And probably that is the result that led to the decreased numbers of the bones. [...] there was no protection mechanisms to protect the bones from being eaten by animals”].
- 2295 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 09.39.32-09.42.56, 09.50.50-09.52.18 [“when the stupas were newly built in 1987 and ’88, that was the time when the remains were counted again, and the number came to 7,500. [...] The difference in numbers was because some bones were eaten by animals, and some fell back into the mass graves. [...] between 1987 and 1988, there was a group of Vietnamese medical doctors came to examine the remains. They gave the numbers to the remains”]. See also **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.22.52-15.24.44.
- 2296 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.18.00-15.22.52.
- 2297 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.29.43-15.32.56.
- 2298 **D114/297.1.47** Voeun Vuthy, T. 13 Dec 2016, 13.50.07-13.57.10; **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 10.10.50-10.12.42, 10.55.56-10.59.54, 11.02.41-11.04.07 [testifying that the remains were confirmed to come from Choeung Ek based on analysis of mud on bones, and explaining difference from bodies buried in coffins in Chinese graveyard. [...] “We cut open part of the bones that we have and we actually looked through the microscope [...] We actually enlarged each cranium in order to see those small holes where the mud retains itself before we made our conclusion”].
- 2299 **D114/297.1.47** Voeun Vuthy, T. 13 Dec 2016, 14.17.00-14.19.50 [“among the 6,426 bones, after we conducted the analysis, we could find only one skull that was not result of the torture or the heavy beating by the tools. There was only one skull”]. See also **D114/297.1.47** Voeun Vuthy, T. 13 Dec 2016, 13.53.19-13.55.41 [describing procedure by which skulls were examined and the ‘marks or traces of trauma’ registered and photographed], 14.19.50-14.21.43 [“we used the microscope to examine traces. If it was beaten with a bamboo stick, there could be a little piece there; particularly, with a square wood, we found some dented skulls resulted of heavily beating”]; **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.34.20 [only skulls were examined for evidence of trauma].
- 2300 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.41.30-15.42.49 [“On each cranium, at least there are two markings and the maximum number is nine”].
- 2301 **D234/2.1.142** Voeun Vuthy, T. 14 Dec 2016, 15.40.20-15.41.30 [“marking or trauma” was the “result of the execution”]; **D114/297.1.47** Voeun Vuthy, T. 13 Dec 2016, 14.03.18-14.06.16 [“some of them were killed by clubbing. I would like to clarify that the club here refers to bamboo stem and wood. We also found 9,802 traces resulted from these tools”].
- 2302 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644147-49 [“Division 164 operated

a forced labour site at a rock quarry near Stung Hav in Kampong Som province. [...] Stung Hav rock quarries and related sites are located in the commune of Stung Hav, Kampong Som province”; **D54/36** Brak Sokha (Prak Sokha) WRI, A32 [“Steung Hav was under the supervision of Division 164”]; **D54/77** Uy Nhik WRI, A33 [“in general all the places at Stung Hav were under the control of Division 164”]; **D54/97** Khoem Yat WRI, A10 [“Later they sent me to Stung Hav. [...] The workers who carried the rocks at that cave were from Division 164, and the person in charge was also from Division 164”]; **D114/83** Sok Neang WRI, A13-14 [“Q: Under whose command did you work in Stung Hav? A13: Stung Hav was under the control of Division 164. Q: Can you tell us more about your battalion? A14: We worked under the direct command of Division 164”]; **D114/86** Chet Bunna WRI, A22 [“Q: Was Stung Hav sector under the control of Division 164? A22: Yes, it was”]; **D114/104** Iem Phong WRI, A161 [“Q: Meaning only when you arrived at Stung Hav did you learn that you were under Division 164. Is this correct? A161: In fact, I was in Division 3, but when I was ordered to work in Stung Hav, they had just created a new division called Division 164, the Navy”]; **D54/104** Ek Ny (Ek Ni) WRI, A16 [“The area controlled by Division 164 was bordered with the Tonle Sap in the east, Stung Hav in the north”]; **D114/178** Oem Sokhan WRI, A30 [“Q: Which unit was in charge of the Stung Hav tempering site? A30: There was one unit, whose name I forget. It was a battalion. They had special soldiers to control us. It was a subordinate to Division 164”]; **D54/9** Min Phon WRI, A5 [“At Stung Hav, my company was put under the command of a battalion of Regiment 61, Division 164”]; **D114/48** Sok Ngon WRI, A34 [“Q: Which unit served in Stung Hav? A34: I did not know what unit it was, but it was under Division 164. In Division 164, there were both army and navy personnel”]; **D114/244** In Yoeu WRI, A77 [“The production unit was under the control of Division 164”]; **D54/8** Dol Song WRI, A30 [“Q: While staying at Stung Hav, who commanded you? A: We were under the command of Division 164”]; **D54/98** Heang Ret WRI, A105 [“Q: Were these two battalions under the supervision of Division 164? A: Yes”].

2303 **D54/105** Ek Ny (Ek Ni) WRI, A17 [“Then I was sent to work at Stung Hav to break rock to be used for construction of Tumnob Rolok Dyke and a port for combat ships. They did not want to keep combat ships at civilian ports”]; **D59/1/1.11a** Hieng Ret DC-Cam Statement, EN 00974101-02 [“Q: Was that to be a naval port? A: Yes”]; **D114/95** Yoem Sroeng WRI, A173 [“At that time, there was nothing to do at Stung Hav. They were building a port, a secret military port”].

2304 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report Report, EN 00644167 [“The most Northern Stung Hav rock quarry is around 750 meters (by air) away from the start point of the pier. The pier is on the most Northern end of a small peninsula of the Stung Hav commune”], EN 00644157 [“With a distance of only around 750 meters (by air) from the quarries the pier is located on the most northern point of Stung Hav”], EN 00644169 [photos]; **D54/109** Sao Sam WRI, A15 [“the Khmer Rouge went to build its own military jetty in Stung Hav and converted the Ream jetty into the civilian port”]. *See also* **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082179 [“With a distance of only around 750 meters (by air) from the quarries, the pier is located on the most northern point of Stung Hav”].

2305 **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082178 [“During the DK era there was a road construction project from Stung Hav harbor to the oil refinery outside Sihanoukville (then called Kampong Som), and a project to build a military harbor in Stung Hav”].

2306 **D114/86** Chet Bunna WRI, A19 [“The port was called Tumnob Rolok, situated at Stung Hav. At the time I was sent there, all the workers at Stung Hav were assigned to break rocks at the quarries. In their plan, they planned to use those rocks to build a secret port where they could repair ships and keep weapons and ammunition”]; **D54/106.2** Sann Kan alias Buth DC-Cam Statement, EN 01509192 [“Q: Was there a jetty called Stung Hav Jetty? A: At Stung Hav there was not yet any significant thing built. But there was a project for a military port there. Q: Did they start building it yet? A: No, at that time when we started collecting rocks from the quarry for building it [...] if you ask Reth, he was clear about it because he had been sent to break rocks there. If you ask those who used to work there, they knew about it clearly”]; **D114/104** Iem Phong WRI, A39 [“Later they demobilised me and gave me a machete to cut down trees for building houses, and they had me break rocks for building a port in Stung Hav with the Chinese”]; **D54/77** Uy Nhik WRI, A17 [“I was in the artillery unit until around late 1977, when the artillery unit was dissolved, and they sent me to work at a rock-breaking site to build a port at Stung Hav”]; **D54/28.1** Nam Lan DC-Cam Statement, EN 01170834 [“they had us build another one at Stung Hav. We used rocks to build the port there. We placed rocks at the site”]; **D54/12** Pres Mean WRI, A22 [“they ordered the workers to carry rocks to be loaded onto trucks for transport and dumping to construct the harbor”]; **D54/8** Dol Song WRI, A32 [“My battalion broke rocks to construct a port and cleared forests”]. *See also* **D114/86.7** Chet Bunna WRI, Annex: Sketch of Places, 16 Jun 2015, EN 01147508; **D54/8.3** Dol Song WRI, Annex: Administrative Map

- of Stung Hav District, Sihanouk Vill 2008-2010, 19 Jun 2013, KH-EN 00936754.
- 2307 **D2/23** Stung Hav Rock Quarries and Related Sites ID Report, EN 00644149 ["The distance from the (1st) rock quarry to the Division 164 Main HQ in Kampong Som town is around 17.53 kilometer (by air) and 2.3 km to a Division 164 (formerly Division 3) Regiment Ops HQ at Stung Hav"]; EN 00644151 ["On the entrance to Stung Hav was located a Division 164 Regiment command post; it is possible that this was Regiment 61 (old Regiment 22)"]. *See also* **D54/9** Min Phon WRI, A5, 17 [" [...] I was in an 82 mm mortar unit. My mortar unit was located on the side of a road opposite the battalion headquarters and the house of the battalion commander. [...] A17: "I just worked at my mortar site"]].
- 2308 **D54/77** Uy Nhik WRI, A32 ["A little further north was the place where the Chinese were working"]; **D54/77.1** Annex: Administrative Map of Stung Hav District, Sihanouk Vill 2008-2010, EN 00982557 [noting "Chinese's house"]. *See also* **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073814 ["Q: I have met another uncle who told me there was another pier build during the three-year regime at Stung Hav. Is it correct? A: It was under construction by the Chinese. The pier had just been partly built, and the situation in our country changed. It was a big construction project by the Chinese, but it was not completed"]].
- 2309 **D54/13** Pres Mean WRI, A32 ["My unit hall was about 1 kilometer from my worksite"]; **D114/83** Sok Neang WRI, A10 ["Where exactly did you live and work in Stung Hav? A10: We lived in a place called Chamkar Trabaek"]; **D114/83.2** Sok Neang WRI Annex: Sketch of Places, EN 01147507.
- 2310 **D114/83** Sok Neang WRI, A29 ["To my knowledge, there were three hospitals under Division 164. [...] Another one was at Chamkar Trabaek at Stung Hav"]; **D114/83.2** Sok Neang WRI Annex: Sketch of Places ["Hospital"]].
- 2311 **D54/8** Dol Song WRI, A28 ["Q: When did they send you to Stung Hav? A: I think it was around the middle or end of 1975 when the East Zone people arrived at Stung Hav. I remember there were many forest leeches when I first arrived there"]; **D54/12** Pres Mean WRI, A11 ["Q: After you were sent back to Koh Tang Island, when were you sent to Stung Hav? A11: I was sent to Stung Hav, maybe in mid-1976"]; **D114/215** Meas Im WRI, A62 ["Stung Hav Worksite began from mid-1976"]; **D114/244** In Yoeu WRI, A44 ["Q: When were you moved? A44: It was nearly the end of 1976. I was moved to Stung Hav"]; **D54/87** Prum Sarat WRI, A102 ["Q: Do you remember which year you went to clear the forest there? A: Maybe it was March or April 1976"]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644150 ["However it can be inferred based on the evidence current witnesses that the start time for this site was in approximately between 2nd half 1975 and/or beginning of 1976"]].
- 2312 **D4.1.745** Stony Beach Report, EN 00387261 ["His unit remained in Stung Hav until 17 January 1979, when invading People's Army of Vietnam (PAVN) forces reached Kampong Som"]; **D54/9** Min Phon WRI, A6, 8, 10 ["I lived in Stung Hav from mid-1978 until the break up in 1979. [...] A8: [...] we heard the sound of explosions every day. [...] A10: I saw and heard the sounds of trucks every day; they were heading to the rock quarry site"]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 ["In 1978 he moved to the Railways at Stung Hav and worked as the assistant to the chief. [...] This continued until the invasion by the Vietnamese"]; **D54/12** Pres Mean WRI, A12 ["I stayed in Stung Hav and built the rock ha[r]bour from mid-1976 until 1979, when the Vietnamese arrived"]; **D114/65** Chet Bunna WRI, A16 ["I and my Battalion 20 were sent to break rock at the Stung Hav rock quarry where I worked until the Vietnamese arrived"]; **D54/35** Brak Sokha (Prak Sokha) WRI, A17 ["I was also ordered to break stones in Stung Hav until the Vietnamese arrived"]; **D114/83** Sok Neang WRI, A15 ["Q: Did you work at Stung Hav until the Vietnamese soldiers arrive? A15: Yes, I did"]; **D54/77** Uy Nhik WRI, A35 ["I was at Stung Hav until the arrival of the Vietnamese in 1979"]; **D114/244** In Yoeu WRI, A46 ["Q: How long did you work at Stung Hav? A46: I worked there until 1979"]; **D114/109** Prum Sambath WRI, A211-212 ["Q: When were you sent to Stung Hav to work? A211: I was sent there about three months before the arrival of the Vietnamese troops. Q: Upon the arrival of the Vietnamese troops, did you work at Stung Hav? A212: Yes, I did"]; **D54/97** Khoem Yat WRI, A10 ["When heard that Vietnamese troops had arrived, the soldiers of Division 164 forced us to flee to the Kravanh Mountain Range"]. *See also* **D59/2/2.14a** Leang Bie (Leang BeaBea) DC-Cam Statement, EN 01333455 ["there was someone I knew was sent there where he remained until the day when the Vietnamese troops came"]; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644150 ["No precise start and end date for the operation of the site of this quarries is available. [...] However at this stage of the investigation it can be stated with caution that the work site was functional and operated under Division 164 up until the end of the regime's presence in Kampong Som. A potential witness who was in a labor group at Stung Hav wrote in his book about this site and referred to the events he experienced in 1978 in Stung Hav until 07 January 1979"]].
- 2313 **D54/77** Uy Nhik WRI, A34 ["I was transferred to Stung Hav in November or December of 1977"]; **D54/83**

Hing Uch WRI, A36 ["I stayed at Stueng Hav about one or two months, in early 1977"]; **D54/98** Heang Ret WRI, A106, 113 ["Q: When did you go to Stueng Hav rock breaking worksite? A106: I went there once in 1977 when that worksite was inaugurated [...] A113: I remember that the two times I went there were in 1977"]; **D114/83** Sok Neang WRI, A8 ["In late 1977, we were sent to Stung Hav"]; **D114/95** Yoem Sroeng WRI, A178 ["Q: In what year did you go to Stueng Hav? A178: I went there in mid-1977"]; **D114/112** Oem Sokhan (Im Sokhan) WRI, A15 ["Around July 1977, I and many others from Sector 37 were sent as the reinforcements to Stung Hav"]; **D114/219** San Chuon WRI, EN 01395464 ["they took me to, at the start of 1977, took us to chop down forest Kup, near Stung Hav"]; **D54/106.2** Sann Kan alias Buth DC-Cam Statement, EN 01509183 ["Q: What month was it in [19]77? Was it in the dry season or rainy season? A: At that time Brother Saroeun had called me to Steung Hav"]; **D114/283** Ek Ny (Ek Ni) WRI, A2 ["Q: did you want to only refer to the period in which you stayed on the island from 1975 to 1977, when you were transferred from the island to live in Stung Hav? A2: I meant the period between 1975 and 1977"]; **D54/35** Brak Sokha (Prak Sokha) WRI, A17 ["During early 1978, I was sent to Stueng Hav"]; **D54/68** Nong Net (Norng Net) WRI, A13 ["Q: What season was it in 1978 when you travelled from Trapeang Kraloeng to Stueng Hav? A13: I went there in the dry season near the end of 1978 because one month after I arrived there, the Vietnamese arrived. Generally we built drainage bridges during dry season"]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983510 ["Q: Was it in late 1978? A: Yes, it was in late 1978. Q: Where were you transferred? A: I was transferred to do rice farming in Stueng Cooperative, outside Phnom Penh"]; **D54/9** Min Phon WRI, A6 ["I lived in Stueng Hav from mid-1978 until the break up in 1979"]; **D114/86** Chet Bunna WRI, A16 ["Q: Could you tell us about the quarries at Stung Hav which you told in the previous interview? A16: As far as I remember, I was sent to work there on 30 September 1978"]; **D114/121** Suon Phar WRI, A42 ["From what I remember, I was sent to break rocks in Steung Hav in January or February 1978"]; **D114/66** Chet Bunna WRI, A25 ["Q: Starting from 1977 how long had you stayed in Teuk Sap before you were sent to Steung Hav? A25: I had worked in Teuk Sap from 1977 until September 1978 before I was sent to break rock in Steung Hav"]; *See also* **D114/275** Ou Kombot Site ID Report, EN 01346014 ["his was unit was sent to clear the jungle in Stung Hav at some point of time in 1977"].

2314 **D54/49** Em Sun WRI, A32, 36, 37 ["I went to Stueng Hav often [...] The building of that port was started in early 1977. [...] Q: How did you know that Stueng Hav Port was built in early 1977? A36: Because I drove Chinese workers there and in the evening I drove them back to stay at Kampong Som Port. [...] A37: In fact the plan of building the port was begun with land filling in 1976. But the physical construction was started in 1977"].

2315 **D54/9** Min Phon WRI, A15 ["It looked like the port had not yet been fully constructed in January 1979. Soldiers stationed at the port told me that it was expected to be completed in the next one or two years"]; **D54/12** Pres Mean WRI, A12 ["I stayed in Stueng Hav and build the rock ha[r]bour from mid-1976 until 1979, when the Vietnamese arrived"]; **D54/98** Heang Ret WRI, A111 ["To my knowledge, the port had not been completed yet when the Khmer Rouge regime collapsed"]; **D114/244** In Yoeu WRI, A75 ["Q: When was the construction of Tumnob Rolok Dam or port completed? A75: It was not completed because in 1979 we all separated"]; **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073814 ["Q: I have met an uncle who told me there was another pier build during the three-year regime at Stueng Hav. Is it correct? A: It was under construction by the Chinese. The pier had just been partly built, and the situation in our country changed. It was a big construction project by the Chinese, but it was not completed. Q: Was the pier only partly built? A: Yes, only a small part of the pier was built. At that time, they were filling in the sea with earth, and they were conducting their studies"]; **D54/49** Em Sun WRI, A32 ["I went to Stueng Hav often; I drove the Chinese delegation or Chinese workers to Stueng Hav and at that time the port was being built. [...] and until the beginning of 1979, it was not completed yet"]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971214 ["Q: Did they complete building that jetty in Stueng Hav? A: No, we did not yet complete it because the Vietnamese arrived"].

2316 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644171-72 ["Witness Pen Sarin stated that the construction of the road was completed in 1976 over a 6 month working time. The road was 13 km long. [...] The distance from the oil refinery to the Stung Hav water pier is indeed approximately 13 km in length"]; **D2/7** Pen Sarin WRI, A10 ["Q: Can you describe to us what the working conditions were during that time at the road construction site from Stung Hav to Kampong Som? A10: The construction of that road completed in 1976. I was a foreman there. The work was hard, but we had to endure it. We worked under rain and in the night from 9pm to 12am. They used the generator to illuminate the worksite. This road was 13 kilometers long. The plan was not building it in order to link here with Kampong Som. It was built up to the

- petrol refinery only. It took six months to complete the construction of that road”].
- 2317 **D54/68** Nong Net (Norm Net) WRI, A5, 13 [“I could hear the sound of rock-breaking explosions and see the smoke in the air from my workplace every day between 2 and 3 o’clock in the afternoon. [...] A13: I went there in the dry season near the end of 1978 because one month after I arrived there, the Vietnamese arrived”].
- 2318 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644149 [“This pier also depicts the end point of the road from the Stung Hav harbor to the oil refinery”], EN 00644150 [“The road from Stung Hav to the oil refinery close to Kampong Som/Sihanoukville”].
- 2319 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644151 [“The pier had a length of 400 meters, a width of 12 meters and up to around 5 meters in depth. The shore line at the port was cleared and straighten with rocks on a length of 300 meters and a depth of 50 meters”], EN 00644168 [“accounts were made that the shore line was part of a bigger harbour project; being graded by placing rock quarries there to have a straight shore line”]; **D54/13** Pres Mean WRI, A18 [“Q: How many meters into the sea had the port been constructed at that time? A18: I heard that it reached about 500 meters into the sea”].
- 2320 **D114/215** Meas Im WRI, A80 [“I have drawn the position of the big worksite at Stung Hav and the dam which was called Rolok Dam which was constructed to protect against big waves”]; **D114/215.3** Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, EN 01301427; **D114/215.1** Meas Im DC-Cam Promoting Accountability Project Report, EN 01301423 [“The KR planned the construction of a dam to prevent the damage from large sea waves. However, only 700 meters of the dam was constructed before the Vietnamese soldiers entered Cambodia in January, 1979”]; **D114/244** In Yoeu WRI, A48 [“There were two worksites. In one worksite, workers had to dig earth and break rock to fill Tumnob Rolok Thmei Dam [new wave dam]. In another worksite, workers also had to break rock to fill Tumnob Rolok Thmei Dam”]; **D114/178** Oem Sokhan WRI, A19 [“They sent my group and me to break rocks for the building of Tumnob Rolok Dam in Stung Hav”]; **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971213 [“Q: What did they use rocks for? A: They used rocks for building jetty and dam. They also used us to dig well”].
- 2321 **D114/86** Chet Bunna WRI, A16, 19, 21 [“I was sent to work there on 30 September 1978. [...] A19: There were three quarries at Stung Hav. [...] A21: In fact, there were four quarries before I arrived there. Two of the quarries were next to each other, and I labelled them Number 1. However, when I arrived there, they had stopped taking rocks from that place. Therefore, only the three quarries, located on this drawing, remained”]; **D114/86.7** Chet Bunna WRI Annex: Sketch of Places, 16 Jun 2015, EN 01147508; **D54/13** Pres Mean WRI, A21 [“Q: Please tell us how many rock breaking worksites were there in Stung Hav? A21: Well, as I remember, there were four rock breaking worksites, and I worked at the Worksite 4”]; **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753; **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082174 [“The witness was a boat operator in Stung Hav. He did hard physical labor by breaking rocks at a site called rock quarry 4”], EN 01082180 [“The site which was known as the Rock quarry Nr. 4 during DK times is still used as a rock quarry”]; **D114/121** Suon Phar WRI, A42 [“There were three rock-breaking worksites at Steung Hav”]; **D54/77** Uy Nhik WRI, A41-42 [“Q: As far as you know, how many rock-breaking sites were there at Stung Hav? A41: As far as I know, there were three rock-breaking sites at Stung Hav. Q: Where were the three rock-breaking sites located? A42: Another rock-breaking site was around 500 metres away from my site, and the other one was around 1.5 kilometres east of my site”]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644147 [“The Stung Hav Rock Quarry is actually not one site but there are three rock quarries close to each other including a military map”], EN 00644149 [“The sites of the rock quarries are along the West coast of the small Stung Hav peninsula and consisted of at least 3 round shaped quarries dug into the rocks and a camp site of Division 164 soldiers”], EN 00644150 [“The quarries delivered stones for at least two projects; the pier and the road in Stung Hav”], EN 00644159 [“The site of the three rock quarries and Division 164 company position was introduced by witness “Sieng”], EN 00644163; **D54/105** Ek Ny (Ek Ni) WRI, A17 [“I worked Kang Keng until mid-1978. Then I was sent to work at Stung Hav to break rock to be used for construction of Tumnob Rolok Dyke and a port for combat ships. They did not want to keep combat ships at civilian ports”]; **D54/98** Heang Ret WRI, A107 [“Q: Can you describe the conditions of Stung Hav rock breaking worksite? A107: I stood and watched it from distance. I saw large lorries transporting rocks from Kampot Province to be unloaded at Stung Hav worksite and there were machines to break rocks in order to build the port”]; **D54/77.1** Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, EN 00982557 [noting “rock quarry of another unit”].

- 2322 **D114/86** Chet Bunna WRI, A21 ["Therefore, during the regime, those quarries were named according to the names of each unit stationed there"].
- 2323 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644158 ["The Stung Hav rock quarries are within the Stung Hav commune on the west side of the Stung Hav peninsula. The site is located between the north/south road and the shore line to the west"], EN 00644159 ["Following the main road in Stung Hav in north direction it leads at the north end to the water pier. Direct in front to the access of the pier, the road turns around to the west side and leads through a small residence area into south direction on a small dirt road. Following this road it leads to the three sites of the quarries"], EN 00644161 ["First the witness identified the water pier to OCIJ investigators. He explained that he was present during the time it was built and that the stone material was taken from the 3 quarries and transported to the water pier"]; **D54/9.1** Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, EN 00936755; **D54/77.1** Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, EN 00982557.
- 2324 **D2/7** Pen Sarin WRI, A13-15 ["Q: As for the stones used for building that road, were all taken from the Stung Hav quarry only? A13: When they worked in Stung Hav area, they took the stones from Stung Hav quarry, but when they reached other location, they took the stones from the places nearby. There was another quarry smaller than Stung Hav called the Mountain 103. It was also the place where stones were taken for building the road. Q: Where was the Mountain 103? A14: If you travel from the refinery to Stung Hav, you will pass some slopes; and the hill of the first slope was called the Mountain 103. Q: How many quarries were there in Stung Hav area? A15: There were many quarries in this area, and two of which were the biggest ones; one was the quarry in Stung Hav where stones were taken for building road and pier, and another one was in the Mountain 103 area where the smaller amount of stones were taken for road construction"]. See also **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, 30 Dec 2010, EN 00644151 ["Stung Hav was the main rock quarry in the area of Stung Hav, beside a site called Mountain 103. A witness stated that there were other places from where stone materials was taken to construct either the road from the oil refinery to Stung Hav, or other projects, such as water tanks in the area"].
- 2325 **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082176.
- 2326 First Quarry: **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644165, 00644160 ["The first rock quarry has a "horseshoe" shape, open to the South West bordering to the road. The width is around 40 meters (measured by GPS), the length is longer than the width, 40 to 60 meters. The estimated height is around 6 meters or more"]; **D2/23.6** Photo, P 00643532; Second Quarry: **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644166, 00644160 ["The second quarry is around 35 meters north of the first. It is of a more round shape than the first one and has a width of around 31 meters (measured by GPS), nearly the same depth (estimated). [...] it is estimated that the height is of the same as the first quarry"]; **D2/23.7** Photo P 00643533; Third Quarry: **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644166, 00644160 ["The third quarry is around 63 meter (measured by GPS) North of the second quarry. It is of round shape and has a diameter of around 44 meters (measured by GPS). [...] Same estimated height of around 6 meter"]; **D2/23.8** Photo P 00643534.
- 2327 **D54/97** Khoem Yat WRI, A10 ["They planned to use that cave as a warehouse, and the cave was also near to the port"].
- 2328 **D114/79** Kang Sum WRI, A272-73 ["The rocks were used to build a port in Stung Hav. Q: Why did you know that? A273: Because Ta Nhan said so when he came to the worksite"].
- 2329 **D54/49** Em Sun WRI, A38 ["Q: Did you see the rock breaking worksite in Stung Hav? A38: No, I did not. But the rocks were taken from Khleang Leu area to build that port"].
- 2330 **D114/215** Meas Im WRI, A9-10 ["A9: Slab Ta Aon was east of Kampot town (I don't know how far it was from the town). The Kampong Trach position was in the Kampong Trach district seat, but I don't know how far it was from the district seat. Q: Why did you go transport rocks in from remote areas of Kampot to Stung Hav when there was also a rock worksite there in Stung Hav? A10: This was the plan of the Chinese; they needed rocks from Slab Ta Aon and Kampong Trach"]; **D114/215.1** Meas Im DC-Cam Promoting Accountability Project Report, EN 01301422 ["Im's unit was next assigned to transport rock from Slap Ta Aon and Kampong Trach to the Steong Hav harbor construction site. Once a day a truck would deliver the rock to the harbor"].
- 2331 **D114/215** Meas Im WRI, A58 ["The whole worksite comprised a rock-crushing worksite, a rock-drilling site, and road construction tractors"]; **D54/8** Dol Song WRI, A33 ["Q: How far was the rock-breaking site from the port? A33: It was about 50 to 100 meters from the port or the beach"]; **D54/77** Uy Nhik WRI, A40 ["Q: How far was the rock-breaking site from the port? A40: It was around one kilometre away from the port"];

- D54/77.1** Uy Nhik WRI, Annex: Administrative Map of Steung Hav District, 1 Apr 2014, KH 00982557; **D114/130** Iem Phong WRI, A117 [“The stone-breaking site and the port were about one kilometer apart”]; **D114/178** Oem Sokhan WRI, A64-65 [“Q: How far was the rocking-breaking worksite from the port? A64: The rock-breaking worksite was about 1,200 metres away from the place where the rocks were stored. Q: Why do you remember the distance clearly? A65: I do; I walked back and forth when I was there”]. *See also* **D114/178.1** Oem Sokhan WRI, Annex: Sketch of Places, 24 Feb 2016, EN 01237997; **D114/86** Chet Bunna WRI, A19 [“According to my observation, they took rocks to construct a port at a distance of 500 metres from the beach”]; **D114/86.7** Chet Bunna WRI Annex: Sketch of Places, 16 Jun 2015, EN 01147508; **D114/244** In Yoeu WRI, A49-50, 63 [“Q: What were you assigned to do at Stueng Hav? A49: At Stueng Have, I was assigned to break rock to fill Tumnob Rolok Dam. Q: Can you tell us the location of that rock breaking worksite? A50: That worksite was called the Chamkar Trabaek [Guava Plantation] to the west of Spean Daek. [...] Q: How far was it from the rock-breaking worksite to the port? A63: It was only about four kilometres”]; **D114/83** Sok Neang WRI, A10 [“Where exactly did you live and work in Stung Hav? A10: We lived in a place called Chamkar Trabaek”]; **D114/83.2** Sok Neang WRI Annex: Sketch of Places, 11 Jun 2015, EN 01147507; **D114/215.3** Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, EN 01301427.
- 2332 **D54/13** Pres Mean WRI, A19 [“In 1977, the number of rock breaking worksites increased. The number of trucks and tractor graders also increased in order to pave roads for transporting rocks to make the port”].
- 2333 **D114/83** Sok Neang WRI, A12 [“another one was called the rock grinding site where some big stones were grinded into pieces by machines”]; **D114/83.2** Sok Neang WRI Annex: Sketch of Places, EN 01147507; **D114/130** Iem Phong WRI, A118 [“Q: Were there many soldiers at the port? A118: There were four or five Chinese soldiers. They had stone breaking machines over there”].
- 2334 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“All construction vehicles from sectors 1, 3 and 5 were mobilised to work there. There were 15 rollers, 10 excavators and 18 bulldozers”]; **D54/8** Dol Song WRI, A31 [“Later, graders were sent to construct roads”].
- 2335 **D114/95** Yoem Sroeung WRI, A187 [“Q: Do you know anything about the rock-breaking worksite at Stueng Hav? A187: No, I do not. However, I heard dynamite being used to break the rocks”].
- 2336 **D54/13** Pres Mean WRI, A19 [“at that time we drilled rock by hand”]; **D114/121** Suon Phar WRI, A42 [“We worked in groups, mainly breaking rocks using hammers”]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 [“When on the mainland, he was involved in farming work at Stung Hav planting potatoes, sugar cane and paddy in small paddy fields. There was no mechanisation or animals to assist with the farming work”].
- 2337 **D114/178** Oem Sokhan WRI, A73.
- 2338 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644151 [“In and south of Stung Hav were also two DK water tank projects”], EN 00644175 [“On the first hilltop water tank an inscription/graffiti can be seen; depicting built: “in year 77”. The inscription gives the impression that it was made by writing/carving into the wet concrete which covered the wall”].
- 2339 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644174 [“The first water tank facility is along the main village road leading North from the 2nd main crossroad halfway up to the harbor on the hill side West of the road and East of the rock quarries”]; **D2/23.1** Photo P 00643523; **D2/23.20** Photo P 00643524.
- 2340 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00614174 [“Witness ‘Sieng’ explained that this site was a Division 164 project which was completed over a 1 month working time in 1978 with the help of Chinese advisers”].
- 2341 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644175 [“The second water tank facility is South of the 2nd crossroad South of the road from this junction passing the location of the former house for the Chinese Advisers and is in 1.1 km from the second junction in Stung Hav”]. *See also* **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753; **D114/108** WRIA, EN 01133404-01133405; **D114/108.1** WRIA, Annex: Original Map of Stung Hav Water Facilities, 21 Aug 2015, EN 01198145; **D2/23.26** Photo P 00643520.
- 2342 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“Meas Mut came to visit on a number of occasions and when he stayed at Stung Hau overnight, he stayed in the same location as the Chinese technicians, who were in a building to the north of where the current district office is located. There were about 42 Chinese technicians working on the project”].
- 2343 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644168 [“Chinese advisers to Division 164 were stationed in a house South of the pier (2.3 km) and South of the quarries (1.5 km)”];

D54/13.2 Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753. *See also* **D2/23.1** Photo, P 00643523.

2344 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644151 ["Close to the Div 164 camp was of a house Chinese advisers"], EN 00644157 ["During the DK era Chinese advisers were involved in the work projects of the Navy Division 164 (formerly Division 3). A house for the Chinese advisers was placed in close proximity to all the identified work sites and close to one of the Division 164 Regiment Operational field HQs. This HQ was located outside the Stung Hav village to the South East of the village, positioned on the South side of the road from Stung Hav to Kampong Som; 1.7 km away from the 2nd main crossroad"]. *See also* **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753; **D2/23.1** Photo, P 00643523; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644157 ["A house for the Chinese advisers was placed in close proximity to all the identified work sites and close to one of the Division 164 Regiment Operational field HQs. This HQ was located outside the Stung Hav village to the South East of the village, positioned on the South side of the road from Stung Hav to Kampong Som"]; **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753.

2345 **D54/87** Prum Sarat WRI, A100 ["I know it was called Stueng Hav, and it was a port construction worksite. There were Chinese experts living there. I also worked there"]; **D54/98** Heang Ret WRI, A102, 108 ["Q: Who supervised Stueng Hav rock breaking worksite? A102: I do not know who the supervisor was. However, that worksite had a lot of Chinese and battalion soldiers working there. [...] Q: Do you know the workers there? A108: As I know, the workers there were soldiers from Division 164, and they worked with the Chinese workers"]; **D114/104** Iem Phong WRI, A39 ["they had me break rocks for building a port in Stueng Hav with the Chinese"]; **D114/121** Suon Phar WRI, A44, 50 ["Occasionally, I saw Chinese technicians accompanied by Khmer Rouge cadres, but I did not know them [...] Q: Did you ever see senior-level cadres visit the rock-breaking worksite? A50: I have told you already that sometimes I saw Chinese people accompanied by Khmer Rouge cadres, but I did not know them"]; **D54/77** Uy Nhik WRI, A39 ["Later, the Chinese came to assist us. When the Chinese came, they drilled the rock and broke the rock by using gunpowder. Thus the work was easier than when we did it manually"]; **D54/9** Min Phon WRI, A20 ["but I heard there were Chinese engineers in the area"]; **D114/83** Sok Neang WRI, A13 ["I want to tell you that the Chinese Technical Advisors also worked there"]; **D114/95** Yoem Sroeung WRI, A184 ["Q: Do you know who constructed that port at Stueng Hav? A184: They were Chinese"]; **D114/178** Oem Sokhan WRI, A21, 67 ["There were also Chinese migrant workers. They had big drills and explosives. My group dug up the rocks and carried them to the vehicles. [...] A67: There were seven Chinese persons and my group"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 ["he was involved in the construction of the road from the oil refinery to Stung Hau village. This work was overseen by Chinese technicians [...] MEAS Mut came to visit on a number of occasions and when he stayed at Stung Hau overnight, he stayed in the same location as the Chinese technicians, who were in a building to the north of where the current district office is located. There were about 42 Chinese technicians working on the project"]; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644174 ["During the DK era Chinese advisers were involved in the work projects of the Navy Division 164 (formerly Division 3)"]; **D114/186** Sath Chak WRI, A149 ["Q: What did you hear about Stung Hav? A: [...] That worksite was supervised by the Chinese"]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217574 ["The construction commenced at Stung Hau in 1976, with more intensive construction taking place in 1977, with the placing of earth in the water. The construction may have been done by Regiment 22 soldiers - but he can not remember the commanders' name. There were also Chinese technicians there"]; **D54/49** Em Sun WRI, A32 ["Q: Why did you go to Stueng Hav, and how often did you go there? A32: I went to Stueng Hav often; I drove the Chinese delegation or Chinese workers to Stueng Hav and at that time the port was being built"]. *See also* **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753; **D54/3.1** Hour Chea, *Four Years with the Khmer Rouge* (excerpt), EN 01520857 ["Chinese guests and technicians who came to assist in the construction of the 'secret military port'"].

2346 **D54/13** Pres Mean WRI, A22 ["Q: Did the Khmer Rouge designate the work sites 1,2,3,4? And what was the meaning of each number? A22: Yes, the rock breaking worksite numbers were based on the depth of rock at each place. For example, at my rock breaking worksite 4; the depth of the rock was 70 meters based on the exploration of the Chinese"].

2347 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644152 ["Chinese advisors taught Division 164 personnel how to break rocks from mountains with regard to technique, size, shape etc"];

D114/208 Long Phansy WRI, A25 ["In some meetings, Chinese experts attended; they told us how to detonate the stone, drill stones, drag the stones by cart, and using explosive powder to detonate the stone"]; **D114/186** Sath Chak WRI, A149 ["Q: What did you hear about Stung Hav? A: [...] That worksite was supervised by the Chinese, and they quarried rocks using gunpowder"]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644161 ["Witness Sieng explained that he was himself a member of Division 3/Division 164 and worked at the Stung Hav site. [...] At this site he explained that the Chinese advisers explained to them how to break the stones with regard to the shape and seize for use in the water pier construction"].

2348 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 ["This work was overseen by Chinese technicians"].

2349 **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073814 ["Q: At that time did you go to help build that pier? A: No. Q: Who built it, the Chinese or Khmer soldiers? A: At that time, the construction had not fully started yet. Both the Chinese and the Khmers conducted their studies inspecting the seabed. I do not know their plan or how they inspected or conducted their studies. I saw the Chinese drop red things plant red flags"], EN 01073815 ["Q: Did you see the Chinese who built the pier? A: Yes, I saw the Chinese. They mobilized soldiers to build shelters for workers then. They built a railroad connecting with the place. Soldiers were assigned to build long shelters for the workers who built the railroad"].

2350 **D114/244** In Yoeu WRI, A65-66 ["Whilst I was at Stung Hav, there were Chinese people. Q: What was the role of the Chinese people? A66: The role of the Chinese was to help us fill Tumnob Rolok Dam. They told us how many metres we should fill in"].

2351 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644152 ["Witness "Sieng" explained that around 100 soldiers were located at this site. He said that a company size unit of "non-trusted" soldiers was located there"].

2352 **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082179 ["Entering Stung Hav from KPS direction, the Company 17 base was located at the entrance of Stung Have between the bridge over the river and the current day main junction (WP21). The base was located north of the main road at closest point between the river and the main road"], EN 01082180-81 ["The witness was assigned to Company 17, just a common so-called "Bad Element Unit". The witness estimated about 100 persons were assigned to Company 17"]; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644149 ["The rock quarries were established as a work site for a work force comprised of Division 164 personnel and civilians. Attached to the actually quarries was at least one camp of "non-trusted soldiers", a term usually used for disarmed former East Zone soldiers taken out of armed duty of Division 164"], EN 00644151 ["South of the quarry a division 164 unit of "disarmed, non-trusted soldiers was located"], EN 00644158, EN 00644163, EN 00644164. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644151 ["Witness "Sieng" showed during the site inspection to OCIJ investigators a particular site of one of the units of Division 164, where soldiers were located directly to the South beside the rock quarries and were working at this site. This unit comprised of former soldiers who had previously been arrested and then released to this work site. This unit was disarmed and was considered as "non-trusted", commonly an indication that these were former East Zone soldiers who had survived the purges but were taken out of the operational forces and put to work. Witness "Sieng" explained that around 100 soldiers were located at this site. He said that a company size unit of "non-trusted" soldiers was located there. The witness further explained that soldiers from this unit were Division 164 (formerly Division 3) low ranking cadres. These individuals had previously been arrested and later released and sent to the rock quarry to carry rocks"]; **D2/23.2** Photo, EN 00643546; **D114/121** Suon Phar WRI, A24 ["Approximately 200 to 300 soldiers from my unit were demobilised"].

2353 **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644152 ["Another camp site for a "30 men strong company" of workers for the Stung Hav rock quarries/port was located around 2 km from the stone quarries. At this site workers from the East Zone were located"]; **D54/83.3** Annex: Administrative Map of Stung Hav District, Sihanouk Vill 2008-2010, EN 00984400.

2354 **D114/215** Meas Im WRI, A53 ["Q: Talking about the Construction Worksite at Stung Hav, were there only military working there or were there also some civilian forces working at there? A53: No, there was only military"]; **D114/178** Oem Sokhan WRI, A40 ["No civilians lived in Stung Hav. Only the soldiers lived there"]; **D114/83** Sok Neang WRI, A41 ["No civilians worked in Stung Hav. There were only soldiers"].

2355 **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073815 ["Soldiers were assigned to build long shelters for the workers who built the railroad. [...] Q: They were workers, not soldiers. Is it correct? A: They were not soldiers but workers, and they were Khmer"]; **D2/7** Pen Sarin WRI, A17 ["Q: Can you tell us

whether the workers at the quarry were those who had been connected with a trend or were ordinary people or were they the soldiers? A17: Most of the workers there were their soldiers. But they also used some 17 April people whom they called the prisoners of war to work there”. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644149 [“The rock quarries were established as a work site for a work force comprised of Division 164 personnel and civilians”], EN 00644151 [“Workers on the road construction were soldiers of Division 164. Also 17 April people were used to work on the Stung Hav road construction and quarries”].

2356 **D114/83** Sok Neang WRI, A9, 40 [“Other units worked there as well. We worked together with men at the worksite. [...] A40: [...] I told you earlier that there were two women's companies working there, so there were about 200 people. Moreover, there were groups of men working there also. There were only men worked at the quarry site. Both men and women worked at the port pillar construction worksite”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“There were male soldiers and female workers used in the construction activities. Everyone worked as workers. The females, about 40-50 were April 17 women while the men were from the Regiment 460 Artillery under the command of Norng Chhan”]; **D2/7** Pen Sarin WRI, A12 [“Q: In the previous interview you said that there were 40 to 50 women working at this road construction site? A12: Yes, this women force was not working there regularly. They just came to help once in a while”]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644151 [“Women were made to work on the road construction”].

2357 **D2/7** Pen Sarin WRI, A3 [“Q: Can you explain to us why were you put in the unit in Stung Hav? A3: I would like to tell you that in early 1975 POL Pot forces got victory on 17 April. After their arrival, they were searching for some people whose skills they could use, such the engine mechanics and welders, to put and work in the military rank. So, in June 1975, when they thought that my skill could be useful, they decided not to send me to work at the rear line, but they kept me to work in the military. [...] I was not sent to anywhere because I was able to work with the machines, so they kept me to work for them”].

2358 **D54/36** Brak Sokha (Prak Sokha) WRI, A32 [“Steung Hav was under the supervision of Division 164”]; **D54/77** Uy Nhik WRI, A33 [“in general all the places at Stueng Hav were under the control of Division 164”]; **D54/97** Khoem Yat WRI, A10 [“Later they sent me to Stueng Hav. [...] The workers who carried the rocks at that cave were from Division 164, and the person in charge was also from Division 164”]; **D114/83** Sok Neang WRI, A13-14 [“Q: Under whose command did you work in Stung Hav? A13: Stung Hav was under the control of Division 164 [...]. Q: Can you tell us more about your battalion? A14: We worked under the direct command of Division 164”]; **D114/86** Chet Bunna WRI, A22 [“Q: Was Stung Hav sector under the control of Division 164? A22: Yes, it was”]; **D114/104** Iem Phong WRI, A161 [“Q: Meaning only when you arrived at Stueng Hav did you learn that you were under Division 164. Is this correct? A161: In fact, I was in Division 3, but when I was ordered to work in Stueng Hav, they had just created a new division called Division 164, the Navy”]; **D54/104** Ek Ny (Ek Ni) WRI, A16 [“The area controlled by Division 164 was bordered with the Tonle Sap in the east, Stueng Hav in the north”]; **D114/178** Oem Sokhan WRI, A30 [“Q: Which unit was in charge of the Stueng Hav tempering site? A30: There was one unit, whose name I forget. It was a battalion. They had special soldiers to control us. It was a subordinate to Division 164”]; **D114/48** Sok Ngon WRI, A34 [“Q: Which unit served in Stueng Hav? A34: I did not know what unit it was, but it was under Division 164. In Division 164, there were both army and navy personnel”]; **D114/244** In Yoeu WRI, A77 [“The production unit was under the control of Division 164”]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 [“There was a quarry at Stung Hav that was run by Division 164”]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644147 [“Division 164 operated a forced labor site at a rock quarry near Stung Hav [...] The sites were operated during DK by Division 164 (former Div3)”]; **D54/9** Min Phon WRI, A5 [“At Stueng Hav, my company was put under the command of a battalion of Regiment 61, Division 164”]; **D54/30.1** Soem Ny (Some Ni) DC-Cam Statement, EN 01070545 [“Stueng Hav was where Bau's forces were stationed. There were no ships in Stueng Hav, but there were fishing boats, and the infantry forces were also stationed in Stueng Hav”].

2359 **D114/215** Meas Im WRI, A12, 39, 43, 64 [“Q: How often did MEAS Muth visit the Stueng Hav construction site? A12: Normally, Meas Muth came to meet the Chinese guests at the Stueng Hav Worksite weekly [...] A39: I met him during early 1977, as I noted, at Stueng Hav to which he came once a week. But from mid-1977 to the end of 1977 and in 1978, I never met him [...] A43: I met him once per week, when he came to meet the Chinese guests. [...] Q: Did Mr. Meas Muth begin his visits to the worksite from mid-1976? A64: Yes”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“Meas Mut came to visit on a number of occasions and when he stayed at Stung Hau overnight, he stayed in the same location as the Chinese

technicians, who were in a building to the north of where the current district office is located”]; **D54/77** Uy Nhik WRI, A52-57 [“Q: Did you ever see senior leaders of Division 164 visiting the worksite at Stueng Hav or holding meetings? A52: I saw Ta Mut coming by car to inspect the worksites at Stueng Hav, but he did not stop and get out of the car. Q: How did you know that Meas Mut was inside the car? A53: A2 Jeeps did not have glass windows. At that time there were not many A2 Jeeps; there was only one A2 Jeep in the division. Q: Could you see and recognise his face? A54: I saw him travelling in a Jeep frequently, so I could see his face clearly. Q: How often did Meas Mut come to Stueng Hav? A55: He came once every two weeks. Q: When you were at Stueng Hav and saw Meas Mut in his car, where were you at that time? A56: I saw him from my rock-breaking site. At that time, they did not allow anyone to walk out of the site. Q: How far was it from your worksite to the road where Meas Mut's car was driving? A57: It was around 30 or 40 metres away”]; **D114/146** Uy Nhik (Uy Nhoek) WRI, A52-53 [“At that time, we quarried rock to build a military pier. At that time, Ta Muth frequently travelled in an A2 Jeep to inspect the worksite. Q: When you mention Ta Muth, do you mean Meas Muth? A53: Ta Muth was Meas Muth”]; **D114/208** Long Phansy WRI, A26 [“Q: Did you ever see Meas Muth visiting Stung Hav pier or Stung Hav when you were the chief of Battalion 612? A26: Yes, I did see him when they inaugurated the worksite or each time when the Chinese paid a visit. I did see him then. They no longer let me get close to him because they no longer trusted me”]. *See also* **D114/86** Chet Bunna WRI, A25 [“But I heard that he went there to inspect the quarries before I went to work there”]; **D54/77** Uy Nhik WRI, A55 [“Q: How often did Meas Mut come to Stueng Hav? A55: He came once every two weeks”].

2360 **D114/146** Uy Nhik (Uy Nhoek) WRI, A52-53 [“At that time, we quarried rock to build a military pier. At that time, Ta Muth frequently travelled in an A2 Jeep to inspect the worksite. Q: When you mention Ta Muth, do you mean Meas Muth? A53: Ta Muth was Meas Muth”]; **D54/77** Uy Nhik WRI, A52-57 [“Q: Did you ever see senior leaders of Division 164 visiting the worksite at Stueng Hav or holding meetings? A52: I saw Ta Mut coming by car to inspect the worksites at Stueng Hav, but he did not stop and get out of the car. Q: How did you know that Meas Mut was inside the car? A53: A2 Jeeps did not have glass windows. At that time there were not many A2 Jeeps; there was only one A2 Jeep in the division. Q: Could you see and recognise his face? A54: I saw him travelling in a Jeep frequently, so I could see his face clearly. Q: How often did Meas Mut come to Stueng Hav? A55: He came once every two weeks. Q: When you were at Stueng Hav and saw Meas Mut in his car, where were you at that time? A56: I saw him from my rock-breaking site. At that time, they did not allow anyone to walk out of the site. Q: How far was it from your worksite to the road where Meas Mut's car was driving? A57: It was around 30 or 40 metres away”]; **D114/215** Meas Im WRI, A12, 39, 43 [“Q: How often did Meas Muth visit the Stueng Hav construction site? A12: Normally, Meas Muth came to meet the Chinese guests at the Stueng Hav Worksite weekly [...] A39: I met him during early 1977, as I noted, at Stueng Hav to which he came once a week. But from mid-1977 to the end of 1977 and in 1978, I never met him. [...] A43: I met him once per week, when he came to meet the Chinese guests”]; **D114/208** Long Phansy WRI, A26 [“Q: Did you ever see Meas Muth visiting Stung Hav pier or Stung Hav when you were the chief of Battalion 612? A26: Yes, I did see him when they inaugurated the worksite or each time when the Chinese paid a visit. I did see him then. They no longer let me get close to him because they no longer trusted me”].

2361 **D114/215** Meas Im WRI, A64 [“Q: Did Mr. Meas Muth begin his visits to the worksite from mid-1976? A64: Yes”].

2362 **D114/86** Chet Bunna WRI, A16, 25 [“I was sent to work there on 30 September 1978. [...] Q: Did you ever see Meas Muth, the Commander of Division 164, going to Stung Hav? A25: No didn't. But I heard that he went there to inspect the quarries before I went to work there”].

2363 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“Meas Mut came to visit on a number of occasions and when he stayed at Stung Hau overnight, he stayed in the same location as the Chinese technicians, who were in a building to the north of where the current district office is located. There were about 42 Chinese technicians working on the project”].

2364 **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082176, 01082179 [“There was a military base close to the Stung Hav rock quarry and the main jetty (east of the jetty, close to the shore) where a meeting was held by Meas Muth in mid 1977”].

2365 **D54/13** Pres Mean WRI, A17 [“The meeting was on high ground and the port was in a low location; we could see the port from the meeting place because it was only around 2 kilometres away”].

2366 **D54/12** Pres Mean WRI, A23, 25 [“In mid-1977, Ta Mut held a meeting and announced the existence of the Communist Party. [...] Q: You said that Ta Mut held a meeting in mid-1977: where was the meeting held?

A25: The meeting was held at the Stueng Hav Military Unit. At that time, they announced that they did not allow anyone to take guns there; only Ta Mut's four or five man defense unit was permitted to carry guns"; **D54/13** Pres Mean WRI, A1 ["I do not remember the exact date. I just remember that it was held in the middle of 1977"].

2367 **D54/12** Pres Mean WRI, A28.

2368 **D54/12** Pres Mean WRI, A30 ["he announced that Ta Nhoek the Sector 37 Secretary, Ta Pon on the Sector 37 Committee, and Ta Chhan, also on the Sector 37 Committee (were traitors.) But I did not know the exact roles of the last two cadres. And Dim was Ta Mut's deputy in Division 164"].

2369 **D54/13** Pres Mean WRI, A10-11 ["Q: How long did the meeting last? A10: About 2 to 3 hours. Q: Did only Ta Mut speak in the meeting, or did any other cadres speak? A11: Only Ta Mut"].

2370 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657354-56.

2371 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657355-56.

2372 Also transliterated Eak Mienh.

2373 **D114/214** Meas Im WRI, A30, 32-33 ["Q: What was the name of the chief of the construction unit in which you worked? A30: Mienh. [...] Q: Did Mienh have to report to his higher ups? What were their names? A32: Mienh reported to Meas Muth. Q: Did he report to Meas Muth personally? A33: Yes, personally"]; **D114/215** Meas Im WRI, A4, 6, 66, 77-79 ["Mienh had the role of regiment chief. [...] Q: According to our documents, there was only one person named Mienh in Division 164, whose full name was Iek Mienh, and he was the chief of Regiment 62 under Division 164. Are we talking about the name of the same person? A6: It is the same person. [...] Q: In connection with the work at the worksite, did Mienh ever instead receive any instructions from anywhere else? A66: Before, he received orders directly from Meas Muth. [...] Q: At what exact location did Mienh reside and work? A77: Stueng Hav, near the stream, maybe 100 meters from the stream. Q: Close to the bridge that was the place of the rail line? A78: That place was called Preaek Roluos, above the railroad, east of the railroad. Let me clarify a bit: the rail line was curved. It was there; in that place, to the east. A79: Mienh's house was maybe 100 meters from the creek. And my work place was maybe 100 meters from Mienh's house"]. See also **D114/215.3** Meas Im WRI, Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, KH 01301427.

2374 **D114/215** Meas Im WRI, A70, 75-76 ["Q: What all were the technical tasks related to your work that your older brother gave to you through Mienh? A70: The first technical task was to construct the road from the oil factory to Stueng Hav. Second, was constructing the up-and-down road(s) in Stueng Hav Worksite and levelling things from the foot of the mountain to Stueng Hav beach to make it flat. [...] Q: How did your older brother communicate with Mienh, by what means? A75: They communicated via field telephone and telegram. Q: How did you know? A76: As I was there at Mienh's house. I lived near Mienh's house and I saw such equipment"].

2375 **D114/215** Meas Im WRI, A75-76 ["Q: How did your older brother communicate with Mienh, by what means? A75: They communicated via field telephone and telegram. Q: How did you know? A76: As I was there at Mienh's house. I lived near Mienh's house and I saw such equipment"].

2376 **D114/215** Meas Im WRI, A70 ["The first technical task was to construct the road from the oil factory to Stueng Hav. Second, was constructing the up-and-down road(s) in Stueng Hav Worksite and levelling things from the foot of the mountain to Stueng Hav beach to make it flat"].

2377 **D4.1.699** Telegram 11 from Dim to Brother Mut, 24 Sep 1976, EN 00143240 ["Another two (combatants) had deserted a Unit in Sang Hav. They will be transferred from Unit 63"].

2378 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217562 ["The deputies of Mut were Dim and Norng Chhan. Chhan in 1976 was the supervisor in the Stung Hau area"]; **D114/130** Iem Phong WRI, A22, 24 ["I met Ta Chhan when he came to attend the meeting. He gave us instructions and asked if we would help him in case there was any gunfire at his place [...] Q: What did he teach you? A24: He taught and explained quarry work. After giving us instructions, he asked us that question. Q: Was that at Stueng Hav? A24: Yes"]; **D1.3.13.11** Sieng OCP Statement, EN 00217564 ["Mut's first deputy was Dim from the East Zone"]; **D114/215** Meas Im WRI, A63 ["The only thing I knew was that Dim took me to work there"]; **D4.1.699** Telegram 11 from Dim to Brother Mut, 24 Sep 1976, EN 00143240 ["Another two (combatants) had deserted a Unit in Sang Hav. They will be transferred from Unit 63"].

2379 **D114/130** Iem Phong WRI, A87-88 ["Q: You talked about meeting with Ta Chhan and a meeting to announce that Ta Chhan was a traitor. Were there many meetings at Stueng Hav? A87: There were only two

meetings. Afterwards there were no meetings. Q: Who organised those two meetings? A88: My unit was at that location, and when Ta Chhan came, he held the meeting. After that, Ta Chhan did not come. Ta Dim came to hold that meeting"]; **D114/121** Suon Phar WRI, A46 ["In the meetings, they talked only about working hard"].

2380 **D54/83** Hing Uch WRI, A37-38 ["Q: Why did you go to Stueng Hav? A37: Because my Regiment 61 was moved to Stueng Hav and was stationed there. [...] A38: There were four battalions in Regiment 61. Only three battalions were relocated to Stueng Hav"]; **D114/178** Oem Sokhan WRI, A39 ["Q: Was Stueng Hav Regiment 61's headquarters or base? A39: It Regiment 61 Headquarters"]; **D54/83.3** Hing Uch WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 6 Oct 1976, EN 00984400; **D4.1.750** Historical Background of Khmer Communist 3rd Division, EN 00387278 ["The 20th Regiment was based at Stung Hav"]; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644153 ["The Regiment 20/61 of Div 164 was based at Stung Hav and the oil refinery"]; **D54/9** Min Phon WRI, A5 ["Q: At Stueng Hav, what unit was your unit subordinate to? A5: At Stueng Hav, my company was put under the command of a battalion of Regiment 61, Division 164"]; **D54/9.1** Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, EN 00936755; **D54/13** Pres Mean WRI, A7-8, 27, 30 ["There were a lot of people who joined the meeting. A number of attendees were in the regiment, Regiment 61 of Division 164. [...] A8: I remember only the soldiers in Regiment 61 in Steung Hav who joined the meeting; but I do not remember if the bad-element unit that worked in the other rock breaking sites joined in the meeting or not. [...] A]27: No one guarded them at the worksite, but the soldiers in Regiment 61 worked at their respective places. Q: Were the three companies created by Regiment 61 or Division 164? [...] A]30: The three bad element companies were bad elements from Regiment 61"]. See also **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753; **D114/95** Yoem Sroeng WRI, A180, 185 ["Q: Were soldiers stationed on land at Stueng Hav? A180: Yes, Regiment 61. [...] Q: Were there Cambodian builders too? A185: Yes, one battalion of Regiment 61"]; **D114/178** Oem Sokhan WRI, A34, 36-37 ["It was in Regiment 61. [...] Q: Where in Stueng Hav was Regiment 61's base? [...] A36: From Spean Daek Bridge (Spean Krapeu Pang) in Stueng Hav to the oil refinery factory. He deployed his soldiers from Stueng Hav to Preah Angkeo. Q: Do you refer to Spean Daek which is near a canal and a railway in Stueng Hav? [...] A37: Yes, the road stretches across the railway, and there is a stream that brings water to the sea"]; **D114/178.4** Oem Sokhan WRI Annex: Geographical and Road Network Sihanouk Vill Province, 24 Feb 2016, KH 01211383; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644168 ["Witness 'Sieng' identified the pier to OCIJ investigators as being built during the DK era with rocks from the Stung Hav Rock quarry by Division 3/164. Witness 'Sieng' identified himself as a member of Division 3/164. He explained that Regiment 61 (or parts of the regiment) were stationed in Stung Hav"]; **D54/83** Hing Uch WRI, A38 ["There were four battalions in Regiment 61. Only three battalions were relocated to Stueng Hav. I do not know about the other battalion. But for my battalion we went to take technical classes. The numerical designation of my battalion was 412 or 312. I am not sure"]; **D54/9** Min Phon WRI, A5 ["At Stueng Hav, my company was put under the command of a battalion of Regiment 61, Division 164. My new battalion was located outside Stueng Hav. I do not remember the number of my battalion, but I still remember that the battalion was located along a trail and a railway, on a mountain, about one kilometer from a quarry site. I also remember the name of the commander of Regiment 61. His name was Pheap, but I do not know if he is still alive. The commander of my battalion was Vanni, and his deputy chief was Pheng"]; **D114/208** Long Phansy WRI, A21 ["I reported up to the regiment chiefs whose names were Pheap and Lan"].

2381 **D114/178** Oem Sokhan WRI, A34 ["It was in Regiment 61"].

2382 **D114/215.1** Meas Im DC-Cam Promoting Accountability Project Report, EN 01301422 ["In 1976, deputy chief of division 164 Dem promoted Im to the position of chief mechanic of the Division. He was responsible for truck and tractor repair. There were 800 soldiers under his supervision"].

2383 **D114/214** Meas Im WRI, A28; *but see*, **D114/77.1** Attendance List, Second Training Session of the General Staff, EN 01156172; **D54/49** Em Sun WRI, A34-35 ["Oem was on a port building committee in Stueng Hav. Oem was Meas Mut's younger half brother. Because Oem had a different father, his surname was different from that of Meas Mut. Q: What were Oem's position and duty? A35: I heard, from 1970 to 1975, he was a cooperative chief. After the 1975 'Liberation', Meas Mut took him along and appointed him to the Stueng Hav Committee"]; **D54/78.1** Nob Hal DC-Cam Statement, EN 00968387 ["Ta Oem was a younger brother of Meas Mut"].

2384 **D114/104** Iem Phong WRI, A103 ["After that they selected some people including myself to go to Stueng

- Hav. Therefore, my unit was still on Koh Tang Island, but I left for Stueng Hav. I was in a mixed unit under Division 164, the Navy, but they assigned us to break rocks”].
- 2385 **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971214 [“Q: Did you know the persons in charge of each battalion unit working there? A: There were Brother Phan and Brother Chhorn. Q: Were they your direct supervisors? A: Yes, Brother Phan was at battalion level and Brother Chhorn was at regiment level. Q: Brother Chhorn? A: Yes. Q: Was Brother Chhorn the chairman of the regiment? A: Brother Phan was the chairman of the battalion of a mobile unit. Q: What about Brother Chhorn? A: Brother Chhorn was the chairman of the regiment”].
- 2386 **D4.1.699** Telegram 11 from Dim to Brother Mut, 24 Sep 1976, EN 00143240 [“Another two (combatants) had deserted a Unit in Sang Hav. They will be transferred from Unit 63”]; **D114/86** Chet Bunna WRI, A23-24, 26 [“Q: Who controlled the Stung Hav quarries? A23: **My** quarry, Quarry 1, was under Kan. I am not sure whether it was Ta Seng or Ta Nhan who was in charge of Stung Hav. Q: Are you talking about Ta Nhan who was later sent to Anlong Veng District? A24: Yes, I am. He was the same person. [...] Q: What position did Ta Seng or Ta Nhan hold during that time? A26: When I was still in the Navy, Ta Seng was the Commander of Regiment 140, and Ta Nhan was the Commander of Regiment 63. I did not know what positions they were promoted to after I was removed from the Navy”]. *See also* **D54/12** Pres Mean WRI, A6, 11 [“At that time I became a soldier of the Centre in Naval Division 164. I do not remember the number of my battalion, but it was in Regiment 22. [...] A11: I was sent to Stueng Hav, maybe in mid-1976”]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217574 [“The construction commenced at Stung Hau in 1976, with more intensive construction taking place in 1977, with the placing of earth in the water. The construction may have been done by Regiment 22 soldiers - but he can not remember the commanders’ name”].
- 2387 **D4.1.745** History of Khmer Communists 3rd Division, EN 00387261 [“The 450th BN was responsible for the construction of Stung Hav pier from 1976 to 1978, his unit remained in Stung Hav until 17 January 1979”]; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, 30 Dec 2010, EN 00644150 [“One witness stated that Battalion 450 was in charge of building the Stung Hav pier from 1976 to 1976. [...] The battalion 450 was stationed near Stung Hav in 1975 after being transferred from Tang island; this was May 1975”]; **D4.1.45** Stony Beach Report, EN 00387261 [“In about August or September 1975, the 450th BN was withdrawn from Tang Island and Stationed near Stung Hav”].
- 2388 **D114/117** Nav Sokhan WRI, A269, 273, 275 [“Q: Was he a soldier or an ordinary citizen? A269: He was the Regiment 140 Commander [...] A273: The wedding was held at a hilly area of Stung Hav [...] A275: [...] The men were already there because it was their place”]. *See also* **D114/86** Chet Bunna WRI, A23-24, 26 [“Q: Who controlled the Stung Hav quarries? A23: My quarry, Quarry 1, was under Kan. I am not sure whether it was Ta Seng or Ta Nhan who was in charge of Stung Hav. Q: Are you talking about Ta Nhan who was later sent to Anlong Veng District? A24: Yes, I am. He was the same person [...] Q: What position did Ta Seng or Ta Nhan hold during that time? A26: When I was still in the Navy, Ta Seng was the Commander of Regiment 140, and Ta Nhan was the Commander of Regiment 63. I did not know what positions they were promoted to after I was removed from the Navy”].
- 2389 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“Everyone worked as workers. The females, about 40-50 were April 17 women while the men were from the Regiment 460 Artillery under the command of Norng Chhan”].
- 2390 **D114/83** Sok Neang WRI, A14, 19 [“We worked under the direct command of Division 164. All the members of Battalion 167 were women. Battalion 167 was composed of three Companies namely Companies 32, 33 and 35. Companies 32 and 33 were sent to work in Stung Hav. [...] A19: My battalion was known as a women’s battalion”]. *See also* **D114/83.2** Sok Neang WRI Annex: Sketch of Places, 11 Jun 2015, EN 01147507.
- 2391 **D114/83** Sok Neang WRI, A13 [“I was still under Battalion 167. I remember that my battalion commander was a woman whose name was Leang and she came to work and lived in Stung Hav with us”].
- 2392 **D114/83** Sok Neang WRI, A14 [“We worked under the direct command of Division 164. All the members of Battalion 167 were women. Battalion 167 was composed of three Companies namely Companies 32, 33 and 35. Companies 32 and 33 were sent to work in Stung Hav”].
- 2393 **D114/83** Sok Neang WRI, A14 [“We worked under the direct command of Division 164. All the members of Battalion 167 were women. Battalion 167 was composed of three Companies namely Companies 32, 33 and 35. Companies 32 and 33 were sent to work in Stung Hav”].
- 2394 **D114/65** Chet Bunna WRI, A16 [“My Production Unit was called Battalion 20. [...] I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry where I worked until the Vietnamese arrived”];

- D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971214 [“Q: Were there many people working at the rock quarry in Stueng Hav? A: I do not recall it well, but there many people. There were two to three battalions. Q: How many hundreds persons based on your knowledge? A: There might be two or three battalions at that time-I forget how many exactly. They might be battalions 20 and 21”].
- 2395 **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971214 [“Q: Were there many people working at the rock quarry in Stueng Hav? A: I do not recall it well, but there many people. There were two to three battalions. Q: How many hundreds persons based on your knowledge? A: There might be two or three battalions at that time-I forget how many exactly. They might be battalions 20 and 21”].
- 2396 **D54/77** Uy Nhik WRI, A23 [“At that time, they transferred around 80% of the former soldiers of Battalion 386 from Sector 37 to work at a rock-breaking site at Stueng Hav because those soldiers were accused of being 'no-good elements'”]; **D114/112** Oem Sokhan (Im Sokhan) WRI, A15 [“Around July 1977, I and many others from Sector 37 were sent as the reinforcements to Stung Hav”]; **D114/178** Oem Sokhan WRI, A17-18 [“Later, they said they were sending all of the soldiers in Sector 37 to Stueng Hav to be tempered so they could screen them, separate them out, and find out if we were loyal to them or not [...] A18: [...] all of the soldiers in the sector were sent there”]. *See also* **D114/244** In Yoeu WRI, A12 [“Before the fall of Phnom Penh, I was in the Sector 37 working as a physician in Battalion 386”].
- 2397 **D114/208** Long Phansy WRI, A16-17 [“They removed me from artillery and assigned me to take charge of an existing battalion at Stung Hav. Q: What was the name of the existing battalion? Or what number was it? A17: Battalion 612”].
- 2398 **D114/86** Chet Bunna WRI, A21 [“First, Company 17 worked there, but later it was replaced by Company 23”]; **D54/13** Pres Mean WRI, A24 [“The no-good elements were organized into three companies designated 17, 18 and 19. My unit was Company 17”]. *See also* **D54/13.2** Pres Mean WRI Annex: Administrative Map of Steung Hav District, Sihanouk Vill 2008-2010, 26 Jun 2013, KH-EN 00936753; **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082175 [“The witness identified the rock quarry of company 17; aka rock quarry “4.” The witness identified the location of the base for company 17”], EN 01082179 [“Entering Stung Hav from KPS direction, the Company 17 base was located at the entrance of Stung Hav between the bridge over the river and the current main junction (WP21). The base was located north of the main road at closest poin between the river and the main road”], EN 01082180-01082181 [“The witness had no problem indicating the location of the Company 17 base. The witness was assigned to Company 17, just a common so-called “Bad Element Unit. The witness estimated about 100 persons were assigned to Company 17”].
- 2399 **D54/13** Pres Mean WRI, A24 [“The no-good elements were organized into three companies designated 17, 18 and 19”]; **D114/178** Oem Sokhan WRI, A31 [“Companies 18 and 19 were stationed in Stueng Hav”]. *See also* **D114/86.7** Chet Bunna WRI Annex: Sketch of Places, 16 Jun 2015, EN 01147508.
- 2400 **D54/13** Pres Mean WRI, A24 [“The no-good elements were organized into three companies designated 17, 18 and 19. My unit was Company 17”]; **D114/178** Oem Sokhan WRI, A31 [“Companies 18 and 19 were stationed in Stueng Hav”]. *See also* **D114/86.7** Chet Bunna WRI Annex: Sketch of Places, 16 Jun 2015, EN 01147508.
- 2401 **D114/86** Chet Bunna WRI, A21 [“First, Company 17 worked there, but later it was replaced by Company 23”].
- 2402 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983513 [“I was assigned to make sewage pipes near Stueng Hav. Q: What happened next? A: I was under the control of Heoun again when I arrived there. His name was Hoeun, but I have forgotten his surname”]; **D54/67** Nong Net (Norng Net) WRI, A24 [“All I know is that Hoeun was in charge of the railroad construction in Trapeang Kraloeng and in Stueng Hav. He is from Takeo Province because he spoke with an accent”]; **D114/178** Oem Sokhan WRI, A79 [“Q: We would like to refer to another event. Do you remember a cadre named Hoeun, who was a cadre controlling workers at the railway in Stueng Hav? A79: He was in a different unit. I did not know him well, but I knew his name.”]. *See also* **D54/67.2** DC-Cam Searching For The Truth, *Neth, A Life Remains From Death*, EN 00977438 [“Neth and his friends were sent to build a drainage system near Stoeung Hao where they worked under comrade Hoeun”].
- 2403 **D114/208** Long Phansy WRI, A21 [“I reported up to the regiment chiefs whose names were Pheap and Lan”].
- 2404 **D114/86** Chet Bunna WRI, A23 [“My quarry, Quarry 1, was under Kan”]; **D114/244** In Yoeu WRI, A52, 53, 55 [“Q: Who managed or controlled Stueng Hav Worksite? A52: Comrade Kan was the battalion commander of Stueng Hav Worksite. Q: What was the name or number of the battalion which Kan controlled? A53: It was the production unit like before. [...] A55: What was your direct chief’s name when you were working at

Stueng Hav? A55: My direct chief's name was Kan"]. *See also* **D54/67** Nong Net (Norng Net) WRI, A25 ["Q: We will talk about Kan. When and where did you first meet Kan? A25: I first met Kan while I was working in Stueng Hav. I did not see him at the railroad construction site in Treapeang Kraloeng"]].

2405 **D59/1/1.27** Moy Sot DC-Cam Statement, EN 00988270 ["Ta Dan was there in charge of the division. At that time he was responsible for the division from Paoy Paet to Pailin, a few regiments such as Regiment 11, the Stueng Hav Regiment, and other regiments"]].

2406 **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971214 ["Q: Did you know the persons in charge of each battalion unit working there? A: There were Brother Phan and Brother Chhorn. Q: Were they your direct supervisors? A: Yes, Brother Phan was at battalion level and Brother Chhorn was at regiment level. Q: Brother Chhorn? A: Yes. Q: Was Brother Chhorn the chairman of the regiment? A: Brother Phan was the chairman of the battalion of a mobile unit. Q: What about Brother Chhorn? A: Brother Chhorn was the chairman of the regiment"]].

2407 **D114/130** Iem Phong WRI, A122 ["Q: Who attended those meetings? A122: The leaders of the hundred member units and fifty member units and groups attended the meetings. They attended meetings and they came back to assign us to work"]].

2408 **D114/208** Long Phansy WRI, A24-25 ["Q: Where were the meetings with the chiefs of the regiment held? A24: The meetings with the regiment were held at the office of the regiment right at Stung Hav. Q: Who else participated the meeting with the regiment chiefs? A25: It was only me who attended the meetings which were held on a daily basis or once every three days. I met with my company chiefs before attending meetings with the regiment chiefs"]].

2409 **D114/208** Long Phansy WRI, A25 ["I met with my company chiefs before attending meetings with the regiment chiefs"]].

2410 **D114/104** Iem Phong WRI, A39 ["In Kampong Som, they called it Division 164, the Navy. I hear that Division 3 and Division 164 had been combined. Later they demobilised me and gave me a machete to cut down trees for building houses, and they had me break rocks for building a port in Stueng Hav with the Chinese"]; **D114/86** Chet Bunna WRI, A19 ["There were three quarries at Stung Hav. They sent all the forces that had been demobilized from the Navy to work there from 1977 onwards"]; **D54/97** Khoem Yat WRI, A10 ["We were combined into Division 164 under the command of MEAS Muth. [...] Later they sent me to Stueng Hav"]; **D114/79** Kang Sum WRI, A26, 186-187 ["I was in Division 164. [...] A186: they sent me to Steung Hav. [...] A187: The 300 soldiers were separated at that time. Some were sent to Steung Hav and some others were sent to other places"]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644147 ["Division 164 operated a forced labor site at a rock quarry near Stung Hav. [...] The sites were operated during DK by Division 164 (former Div3)"]].

2411 **D54/97** Khoem Yat WRI, A10 ["The workers who carried the rocks at that cave were from Division 164"]; **D114/178** Oem Sokhan WRI, A20 ["Q: Did you feel that it was forced labour? A20: It was a tempering site. We had to do it; we could not refuse"]; **D54/36** Brak Sokha (Prak Sokha) WRI, A28-30 ["Q: How were you treated? Were you considered an ordinary person or a former soldier? A28: They neither considered us civilians or former soldiers. They regarded us as someone who had to be tempered. They regarded and treated us as slaves. Q: Did you have the right to express your opinion or make any demand? A29: None, whatsoever. Q: Could you oppose or refuse to work? A30: No. We had to carry out the plan, otherwise we would be punished"]; **D114/121** Suon Phar WRI, A44, 46-47 ["While we were working, there were no guards, and they did not have any regulations; but we all knew what we were supposed to do, meaning we had to work hard and break as much rock as possible. [...] Q: Could you take a rest or visit your family? A46: I never asked permission to visit home because I knew they never granted permission. We worked all week and all month without rest, except when we had a meeting. In the meetings, they talked only about working hard, and when we worked hard, they praised us. [...] Q: Did you want to do the work? Did you have other choices? A47: I did not want to do it, but I had to do it in exchange for my life"]].

2412 **D114/214** Meas Im WRI, A28-29, 54 ["in the worksite where I worked, there were 800 workers. Q: Which worksite are you referring to? A29: Steung Hav Worksite"]; **D114/215** Meas Im WRI, A54 ["Those forces came from various units under Division 164. The total number of forces was 800 working at the Stueng Hav Construction Worksite"]].

2413 **D54/33** Ing Chhon (Y Chhon) WRI, A20 ["Later on, they moved three battalions to temper near Stueng Hav; my unit was among the three, and I stayed along the railway near Stueng Hav"]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971214 ["there were many people. There were two to three battalions. [...] There might be two or three battalions at that time"]].

- 2414 **D114/178** Oem Sokhan WRI, A41 ["All of the soldiers from all of the islands were stationed in Stueng Hav. Some platoon soldiers were arrested, so there were only around 200 soldiers, no more than 300 soldiers, left. The number of soldiers who were taken from the islands was about 250, because some soldiers were arrested and mistreated. It was chronically chaotic"].
- 2415 **D54/12** Pres Mean WRI, A20 ["there were a lot of people working at the rock breaking site with me"].
- 2416 **D13.13.11** Sieng OCP Statement, EN 00217566 ["There was a quarry at Stung Hav that was run by Division 164. [...] There were around 100 people working at the quarry"]; **D54/68** Nong Net (Norng Net) WRI, A31 ["There were about 100 workers at the Stung Hav worksite managed by Hoeun"]; **D114/178** Oem Sokhan WRI, A67 ["There were seven Chinese persons and my group. One company and the Chinese; altogether there were 110 people"]; **D114/208** Long Phansy WRI, A18 ["In fact, a regiment was stationed at Stung Hav, but they had me take charge of a battalion of only 100 to 200 military members"]; **D114/109** Prum Sambath WRI, A226-28 ["Q: How many people worked at Stung Hav? A226: There were approximately 100 workers. Q: Did they send your entire unit there? A227: Yes, they did. Q: Did you see other people working there besides your unit? A228: There were other people there"]; **D114/219** San Chuon WRI, EN 01395464 ["they took me to, at the start of 1977, took us to chop down forest Kup, near Stung Hav. There were very many of the likes of me there, hundreds of persons"]; **D54/77** Uy Nhik WRI, A44-47 ["Q: How many people worked at your rock-breaking site? A44: 14 people worked at my rock-breaking site, and there were two lorries. Q: How many people worked at the port dike? A45: Eighty percent of those transferred from Battalion 386 worked at the port dike. Q: What was the approximate number of those people? A46: Around 100 people. Q: How many people worked at the other rock-breaking sites? A47: It depended on whether the rock was hard to break or not. At one site, 15 people were working; whereas in another more people were working"]. *See also* **D54/13** Pres Mean WRI, A20 ["Q: How many people worked at the rock breaking site with you in mid-1976? A: There were about 20"]; **D54/49** Em Sun WRI, A41 ["I just observed only at the port worksite, there were about 100 workers including the Chinese workers. Generally, I saw those workers in the evenings in 1977 when they came back to their accommodations. I saw them from the bus stop where I was waiting to pick up the workers. It was the only place where I observed them"]; **D114/83** Sok Neang WRI, A40 ["There were more than 200 people working at the port. I told you earlier that there were two women's companies working there, so there were about 200 people. Moreover, there were groups of men working there also. There were only men worked at the quarry site. Both men and women worked at the port pillar construction worksite"].
- 2417 **D54/12** Pres Mean WRI, A23 ["At the rock-breaking site, they divided the work into different groups such as the truck driving group, the drilling and exploding group, and rock transport group"].
- 2418 **D2/7** Pen Sarin WRI, A11 ["Q: How many people worked in that road project? A11: There was not a regular number of workers working there. There were about 30 unskilled workers. As for the technicians, there were two technicians operating each machine"].
- 2419 **D2/7** Pen Sarin WRI, A12 ["Q: In the previous interview you said that there were 40 to 50 women working at this road construction site? A12: Yes, this women force was not working there regularly. They just came to help once in a while"].
- 2420 **D54/68** Nong Net (Norng Net) WRI, A26 ["But the working conditions at Trapeang Kraloeng and Stueng Hav were very difficult. I thought human beings could not work in such conditions at Trapeang Kraloeng and Stueng Hav"]; **D54/36** Brak Sokha (Prak Sokha) WRI, A26 ["Q: What were the living condition and food distribution like in Steung Hav? A26: The living condition and food distribution were the same as at Kang Keng. We faced the same kind of hardship"]; **D114/121** Suon Phar WRI, A44 ["we had to work hard and break as much rock as possible"].
- 2421 *See, e.g.,* **D54/36** Brak Sokha (Prak Sokha) WRI, A29 ["Q: Did you have the right to express your opinion or make any demand? A29: None, whatsoever"].
- 2422 **D114/130** Iem Phong WRI, A82 ["Q: Could you leave the stone-breaking worksite or the place you lived? A82: Unless they assigned us to go anywhere, we could not leave"]; **D54/68** Nong Net (Norng Net) WRI, A23, 33 ["If any person did not follow orders and walked around freely, they would hold a self-criticism meeting. [...] Q: Why did not you find a way to escape from there when the working conditions were very difficult? A33: There was no escape route because we ate rice collectively, so if we escaped to another place, we would not have anything to eat, and we would be killed by the soldiers who patrolled that area"]; **D54/13** Pres Mean WRI, A26, 34 ["However, at the rock breaking site, we were not allowed to go anywhere or contact anyone elsewhere; otherwise, we would be arrested and taken away. [...] A34: because I was not allowed to walk around freely. Walking around was restrained. [...] Living conditions were like in a jail because we were not allowed to go anywhere besides the worksite"]; **D54/36** Brak Sokha (Prak Sokha) WRI,

A35 ["We were not allowed to go anywhere else besides where we worked"]; **D114/121** Suon Phar WRI, A52 ["In that regime, they had us stay in one place. When we were not at the worksite, we were in bed. We were not allowed to go anywhere else"].

2423 **D54/13** Pres Mean WRI, A34.

2424 **D114/104** Iem Phong WRI, A143-44 ["There were soldiers on guard at the rock-breaking worksite, and the Chinese site also had guardsites. [...] A144: They walked around to inspect us breaking rocks"]; **D114/109** Prum Sambath WRI, A229 ["Q: Were there any guards working there? A299: Yes, there were"]; **D114/130** Iem Phong WRI, A80, 85-86 ["There were guards at the worksite. [...] Q: Did they carry weapons? A85: Yes, they did. Q: Did you have a weapon? A86: No, I did not"]; **D114/178** Oem Sokhan WRI, A30, 32 ["They had special soldiers to control us. [...] A32: We tempered under this unit; this was when we were assigned to take the rocks"].

2425 **D114/121** Suon Phar WRI, A47-48 ["Q: Did you want to do the work? Did you have other choices? A47: I did not want to do it, but I had to do it in exchange for my life. From my understanding, when they arrested someone who tried to run away, that person was killed. [...] A48: Yes, I was worried that one day I could lose my life"]; **D54/68** Nong Net (Norng Net) WRI, A1, 33 ["they did not let us walk to other places besides our worksite. [...] Q: Why did not you find a way to escape from there when the working conditions were very difficult? A33: There was no escape route because we ate rice collectively, so if we escaped to another place, we would not have anything to eat, and we would be killed by the soldiers who patrolled that area"]; **D54/13** Pres Mean WRI, A26 ["we were not allowed to go anywhere or contact anyone elsewhere; otherwise, we would be arrested and taken away"].

2426 **D114/130** Iem Phong WRI, A83.

2427 **D54/13.1** DK Military Meeting Minutes, *The minutes of the meeting of 164 comrades*, 9 Sep 1976, EN 00974008 ["the forces transferred from Chrouy Changva to Stueng Hav held a meeting and plotted to flee"]; **D54/8.1** DK Military Meeting Minutes, *Meeting Minutes of Comrade 164*, 9 Sep 1976, EN 01509242 ["the forces who have been deployed from Chroy Changva and now stationed at Stung Hav met to discuss the escape plan. Vong Sruol was the leader. He was a cadre of a platoon"].

2428 **D54/77** Uy Nhik WRI, A16-17 ["Q: What was the location of your artillery unit at Ream? A16: It was close to Ream port; it was around 800 metres away from the port. Q: How long were you in the artillery unit? A17: I was in the artillery unit until around late 1977, when the artillery unit was dissolved, and they sent me to work at a rock-breaking site to build a port at Stueng Hav"].

2429 **D54/12** Pres Mean WRI, A14 ["Q: Who sent you from Koh Tang Island to Stueng Hav? A14: There was an order from a commander to send me and approximately 20 other soldiers to Stueng Hav"]; **D114/104** Iem Phong WRI, A103 ["I would like to describe the situation briefly. When we were at Koh Tang Island, we built houses on the ready line along the coast and planted bamboo trees as a fence. After that they selected some people including myself to go to Stueng Hav. Therefore, my unit was still on Koh Tang Island, but I left for Stueng Hav. I was in a mixed unit under Division 164, the Navy, but they assigned us to break rocks"].

2430 **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971213 ["After they had removed me from Kang Keng, they sent me to Stueng Hav where I was staying and building jetty and dam"]; **D54/105** Ek Ny (Ek Ni) WRI, A17 ["I worked at Kang Keng until mid-1978. Then I was sent to work at Stueng Hv to break rock to be used for construction of Tumnob Rolok Dyke and a port for combat ships"]; **D114/65** Chet Bunna WRI, A16 ["I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Ba-bos. After that they sent me to tend the water buffalos and plow rice paddy. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry where I worked until the Vietnamese arrived"]; **D114/79** Kang Sum WRI, A186 ["At that time, they sent me [from Au Mlou] to Stueng Hav"]; **D114/83** Sok Neang WRI, A8 ["From 1976, we were ordered to stay in the middle of the paddy fields in Smach Daeng. We were tasked with transplanting and harvesting rice there for nearly two years. In late 1977, we were sent to Stung Hav"]; **D114/109** Prum Sambath WRI, A210 ["Q: Between July 1977 and the arrival of the Vietnamese troops, what else did you do besides building the dam and doing farming? A210: They assigned me to break rocks to build the dam at Stung Hav"]; **D114/121** Phar Suon WRI, A23 ["I lived and worked near Kang Keng Airport for approximately a year. Later they sent me to break rocks at Steung Hav, and I lived and worked there for approximately one year"]; **D114/244** In Yoeu WRI, A42 ["Were there any members who were removed from the production unit in Kang Keng? A: Yes, we were moved to Stueng Hav"]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983513 ["I was assigned to make sewage pipes near Stueng Hav"].

- 2431 **D54/12** Pres Mean WRI, A18, 20 ["Q: Did you move to Stueng Hav voluntarily? A18: No, I was ordered to go. In those days no one could volunteer to do anything. We just followed orders. [...] A20: I had to follow their orders. They said that it was my duty, so I had to follow the orders, and there were a lot of people working at the rock breaking site with me"].
- 2432 **D114/121** Suon Phar WRI, A46 ["We worked all week and all month without rest, except when we had a meeting"]. *See also* **D54/68** Nong Net (Norng Net) WRI, A24 ["Q: Did you have the right to ask for a reduction of the amount of work at you workplace? A24: No, I did not. No one had that right"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 ["The witness stated that they were provided with insufficient food and often worked 24 hours per day"].
- 2433 **D2/7** Pen Sarin WRI, A10 ["We worked under rain and in the night from 9 pm to 12 am"].
- 2434 **D54/36** Brak Sokha (Prak Sokha) WRI, A28 ["Q: How were you treated? Were you considered an ordinary person or a former soldier? A28: They neither considered us civilians or former soldiers. They regarded us as someone who had to be tempered. They regarded and treated us as slaves"]; **D54/77** Uy Nhik WRI, A38 ["They treated us as if we were chickens or ducks. If they did not like us, they transferred us away, and we disappeared forever. Even our relatives did not dare to ask about our conditions"]. *See also* **D114/178** Oem Sokhan WRI, A73 ["I experienced hardship and suffering when I worked and stayed at the rock-breaking worksite. They did not use machinery to lift the rocks; they used human labour. We had to use all our energy to carry those rocks. That was why there was a long dam for the building of the port"].
- 2435 **D114/178** Oem Sokhan WRI, A20 ["Q: Did you feel that it was forced labour? A20: It was a tempering site. We had to do it; we could not refuse"]; **D54/36** Brak Sokha (Prak Sokha) WRI, A30 ["Q: Could you oppose or refuse to work? A30: No. We had to carry out the plan, otherwise we would be punished"]; **D114/121** Suon Phar WRI, A47 ["Q: Did you want to do the work? Did you have other choices? A47: I did not want to do it, but I had to do it in exchange for my life. From my understanding, when they arrested someone who tried to run away, that person was killed"].
- 2436 **D54/68** Nong Net (Norng Net) WRI, A24 ["Q: Did you have the right to ask for a reduction of the amount of work at you workplace? A24: No, I did not. No one had that right"].
- 2437 **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971222.
- 2438 **D114/121** Suon Phar WRI, A47-48 ["Q: Did you want to do the work? Did you have other choices? A47: I did not want to do it, but I had to do it in exchange for my life. From my understanding, when they arrested someone who tried to run away, that person was killed. [...] A48: Yes, I was worried that one day I could lose my life"]; **D114/178** Oem Sokhan WRI, A20 ["Q: Did you feel that it was forced labour? A20: It was a tempering site. We had to do it; we could not refuse"]; **D54/36** Brak Sokha (Prak Sokha) WRI, A30 ["Q: Could you oppose or refuse to work? A30: No. We had to carry out the plan, otherwise we would be punished"].
- 2439 **D114/86** Chet Bunna WRI, A9.
- 2440 **D2/7** Pen Sarin WRI, A10.
- 2441 **D54/68** Nong Net (Norng Net) WRI, A25 ["As a human being who worked in such conditions, I think that the Khmer Rouge wanted to force the people to work beyond their strength until they died. The Khmer Rouge was very cruel. They behaved like this because they wanted the people to die without using other ways"].
- 2442 **D54/9** Min Phon WRI, A8, 10-11 ["I did not take the elephant along road, because there were trucks carrying workers on the road every day and the elephant was afraid of trucks. [...] A10 ["I saw and heard the sounds of trucks every day; they were heading to the rock quarry site. [...] A11: I saw or heard trucks going in and out of the site at around 7 a.m., 2 p.m. and 5 p.m."].
- 2443 **D54/13** Pres Mean WR, A33 ["Q: You said that the soldiers regarded as no-good elements were sent to break rocks. Why was the breaking and carrying of rocks given to the no-good elements? A33: Because breaking and carrying rocks was heavy labor"]; **D114/186** Sath Chak WRI, A157 ["They told me that they were exhausted because they had been assigned to drill rocks collect rocks and detonate explosives"]; **D54/97** Khoem Yat WRI, A10 ["Later they sent me to Stueng Hav. We worked there for about half a year. They had us carry rocks from a cave that they planned to make into a warehouse. We carried rocks from a mountain cave to be placed on the vehicles and transported to fill in the sea to build a port"]; **D54/36** Brak Sokha (Prak Sokha) WRI, A24 ["There were several worksites in Steung Hav area. We gathered every morning to wait for the assignment for different kinds of work. Some of us were sent to break rocks. Others were sent to dig wells or build pier"]; **D54/8** Dol Song WRI, A27, 32 ["Later, my unit was sent to Stueng Hav to clear forests, build roads and break rocks. [...] A32: My battalion brok rocks to construct a port and cleared forests"]; **D54/12** Pres Mean WRI, A19 ["Some other people including me were sent to work at the rock breaking site"];

D114/104 Iem Phong WRI, A39, 55, 103 [“they had me break rocks for building a port in Stueng Hav with the Chinese. [...] A55: I was at the rock-breaking worksite in Stueng Hav. [...] A103: I left for Stueng Hav. I was in a mixed unit under Division 164, the Navy, but they assigned us to break rocks”]; **D114/130** Iem Phong WRI, A79 [“I did stone-breaking work”]; **D114/121** Suon Phar WRI, A23, 42 [“Later they sent me to break rocks at Steung Hav, and I lived and worked there for approximately one year. [...] A42: We worked in groups, mainly breaking rocks using hammers. Other groups loaded rock on lorries. Some other groups were assigned to use explosives to break rocks”]; **D114/65** Chet Bunna WRI, A16 [“I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry”]; **D114/178** Oem Sokhan WRI, A19 [“They sent my group and me to break rocks for the building of Tumnob Rolok Dam in Stueng Hav”]; **D114/178.1** Oem Sokhan WRI, Annex: Sketch of Places, 24 Feb 2016, EN 01237997; **D114/208** Long Phansy WRI, A23 [“In Battalion 612, the jobs included stone drilling, stone breaking, dragging stone to shield the worksite and other work”]; **D114/109** Prum Sambath WRI, A210, 225, 232 [“They assigned me to break rocks to build the dam at Stung Hav. [...] A225: They assigned us to break rocks and carry them onto the trucks. [...] A232: [...] we were assigned to break rocks there”]; **D114/66** Chet Bunna WRI, A25 [“I was sent to break rock in Steung Hav”]; **D114/244** In Yoeu WRI, A48-49 [“Q: As you knew, approximately how many people in total worked at Stueng Hav Worksite? A48: There were two worksites. In one worksite, workers had to dig earth and break rock to fill Tumnob Rolok Thmei Dam [new wave dam]. In another worksite, workers also had to break rock to fill Tumnob Rolok Thmei Dam. Q: What were you assigned to do at Stueng Hav? A49: At Stueng Have, I was assigned to break rock to fill Tumnob Rolok Dam”]. See also **D114/155** Sok Ren WRI, A62 [“I know a person who lived in Stueng Hav and used to be a labourer in a quarry”]; **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644152 [“People were made to carry stones”]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971213 [“*Angkar* assigned us to break rocks”]; **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073816 [“Near the road leading from the junction next to the oil refinery, soldiers quarried rock themselves. The road had not yet been built”].

2444 **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073816 [“There were no rock-drilling machines, so we quarried the rock manually”]; **D54/77** Uy Nhik WRI, A39 [“At first, we worked manually. They gave us a steel club, and we dug rock on a hill, and collected and loaded rocks onto lorries”]; **D54/36** Brak Sokha (Prak Sokha) WRI, A27 [“The work at rock quarry was arduous as we had to work with our hands. We used picks and crowbars to break rocks and carried them to the pier”]; **D114/121** Suon Phar WRI, A42 [“We worked in groups mainly breaking rocks using hammers”].

2445 **D54/77** Uy Nhik WRI, A39 [“At first, we worked manually. They gave us a steel club, and we dug rock on a hill, and collected and loaded rocks onto lorries. Some rocks were so big that two or three people needed to carry them onto lorries. We could break only a truckload of rocks per day”]; **D114/130** Iem Phong WRI, A117 [“after we broke the stones, we carried the stones to load onto tractors”]; **D114/121** Suon Phar WRI, A42 [“We worked in groups mainly breaking rocks using hammers. Other groups loaded rock on lorries”]; **D114/244** In Yoeu WRI, A61 [“We rested when the lorries came to load the broken rocks and took them out”].

2446 **D54/77** Uy Nhik WRI, A39 [“Later, the Chinese came to assist us. When the Chinese came, they drilled the rock and broke the rock by using gunpowder”]; **D54/98** Heang Ret WRI, A107 [“I stood and watched it from a distance. I saw large lorries transporting rocks from Kampot Province to be unloaded at Stueng Hav worksite and there were machines to break rocks in order to build the port”]; **D54/12** Pres Mean WRI, A22 [“Each worker was required to dig a one-meter-deep hole in which explosives was put in and exploded to break rock. It wasn’t until 1977 or 1978 that China brought rock-drilling machines to Cambodia. They exploded rock after 5 p.m. and the next morning, they ordered the workers to carry rocks to be loaded onto trucks for transport and dumping to construct the harbor”]; **D54/68** Nong Net (Norng Net) WRI, A5 [“Q: Did you remember if there was a rock-breaking worksite close to your workplace? A5: Yes, there was, because they used explosives to break the rock, which was about 2 kilometres away from my workplace. I could hear the sound of rock-breaking explosions and see the smoke in the air from my workplace every day between 2 and 3 o’clock in the afternoon. The rock-breaking worksite was located south of my workplace”]; **D54/9** Min Phon WRI, A8 [“we heard the sound of explosions every day. I heard the sound of rocks being blown up every day at 11 a.m., just before the lunch break. Whenever we heard the explosions, we knew that it was almost lunch break time. Our lunch break was 15 minutes after the explosions. As far as I remember, they did the rock explosions once per day”]; **D114/95** Yoem Sroeng WRI, A187 [“Q: Do you know anything about the rock-breaking worksite at Stueng Hav? A187: No, I do not. However, I heard dynamite being used to break the rocks”]; **D114/121** Suon Phar WRI, A42 [“Some other groups were assigned to use explosives to

break rocks”]; **D2/7** Pen Sarin WRI, A16 [“I joined with them to remove stones from there. I operated the crane to remove the stones to the pier construction site while they were building it”]; **D114/130** Iem Phong WRI, A118 [“They had stone-breaking machines over there”]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644152 [“Beside human labor some machinery, cranes and explosives were used”]; **D54/12** Pres Mean WRI, A22 [“Each worker was required to dig a one-meter-deep hole in which explosives was put in and exploded to break rock. It wasn’t until 1977 or 1978 that China brought rock-drilling machines to Cambodia”].

2447 **D114/178** Oem Sokhan WRI, A21 [“We had to do what we were assigned to do because they set the targets”].

2448 **D54/12** Pres Mean WRI, A23 [“For example, the rock transport group could transport ten truckloads per day. If someone was slow or lazy, they would hold a meeting to criticise that person”].

2449 **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073816 [“Soldiers also had to work hard then. Q: Did they also work hard? A: Yes, they set the amount of work. At first, two people had to quarry only four cubic metres of rock. If we could complete this, they would continuously increase the amount. Later six people had to quarry 12 cubic metres of rock. The work was very harsh, and we had a lot of suffering. There were no-rock drilling machines, so we quarried the rock manually. Those responsible for drilling holes in the rock were assigned to drill a one-metre deep hole per day. However, it was very hard to make a hole in rock”].

2450 **D54/8** Dol Song WRI, A31 [“Later, graders were sent to construct roads”]; **D114/215** Meas Im WRI, A70 [“The first technical task was to construct the road from the oil factory to Stueng Hav. Second, was constructing the up-and-down road(s) in Stueng Hav Worksite and levelling things from the foot of the mountain to Stueng Hav beach to make it flat”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“From 28 January 1976 until June 1976 he was involved in the construction of the road from the oil refinery to Stung Hau village”].

2451 **D54/12** Pres Mean WRI, A22 [“they ordered the workers to carry rocks to be loaded onto trucks for transport and dumping to construct the harbour”]; **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082175 [“The witness identified the Stung Hav Rock jetty built with stones from the rock quarry”], EN 01082181 [“The witness showed the main jetty to OCIJ and identified big boulders of rocks originating from the rock quarries of the “Bad Element” units”]; **D54/8** Dol Song WRI, A32 [“My battalion broke rocks to construct a port and cleared forests. We had only started to place rocks in the sea. When I left, the port had not yet taken shape”]; **D114/104** Iem Phong WRI, A39 [“Later they demobilised me and gave me a machete to cut down trees for building houses, and they had me break rocks for building a port in Stueng Hav with the Chinese”]; **D54/77** Uy Nhik WRI, A17 [“I was in the artillery unit until around late 1977, when the artillery unit was dissolved, and they sent me to work at a rock-breaking site to build a port at Stueng Hav”]; **D54/87** Prum Sarat WRI, A100-101 [“I do not remember in which village or commune the rock breaking worksite was located, but I know it was called Stueng Hav, and it was a port construction worksite. [...] A101: I know that they were building a new port there”]; **D114/83** Sok Neang WRI, A8, 20, 39-40 [“My unit joined in building a port at Stung Hav. [...] A20: After 1975, because of no war, my battalion joined in growing rice and building the Au Chhoeur Teal Dam and the port at Stung Hav. [...] Q: Now let us change the topic to talk about Stung Hav. Can you describe the port construction plan? A39: In Stung Hav, we had specific working hours— there were the night and day shift workers. The work load depended on the work. At that time, we were tasked with building the pillars for the port and we worked like other construction workers. [...] A40: There were more than 200 people working at the port. I told you earlier that there were two women’s companies working there, so there were about 200 people. Moreover, there were groups of men working there also. There were only men worked at the quarry site. Both men and women worked at the port pillar construction worksite”]; **D114/95** Yoem Sroeung WRI, A173, 179 [“At that time, there was nothing to do at Stueng Hav. They were building a port, a secret military port. [...] Q: You said that the site was a secret military port. Were many ships there? A179: Sometimes, there were a two or three pontoon ships there, and sometimes there were two or three defense ships”]; **D114/121** Suon Phar WRI, A42 [“They told us they were building a port”]; **D114/86** Chet Bunna WRI, A19 [“The port was called Tumnuh Rolork, situated at Stung Hav. At the time I was sent there, all the workers at Stung Hav were assigned to break rocks at the quarries. In their plan, they planned to use those rocks to build a secret port where they could repair ships and keep weapons and ammunition”]. *See also* **D114/86.7** Chet Bunna WRI Annex: Sketch of Places, 16 Jun 2015, EN 01147508; **D54/109** Sao Sam WRI, A15 [“the Khmer Rouge went to build its own military jetty in Steung Hav and converted the Ream jetty into the civilian port”]; **D114/208** Long Phansy WRI, A15 [“They had me

run a battalion that was building a port at Stung Hav”]; **D54/45** Lon Seng WRI, A21 [“Q: Did you know Steung Hav? A21: Yes, I did. The other soldiers and I came from the island to attend training there. We even visited a newly-constructed port. At that time, friends who came with me said that the new port was being constructed in order for warships to dock. Staff at that port told me that this new port was a restricted area. It was not opened to the public. I was allowed to enter the port because I worked with him”]; **D59/2/2.16a** Sim Ny DC-Cam Statement, EN 01332594 [“Q: Did they construct the port at Stung Hav? A: They did”]; **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070546 [“Q: Did they build a port at Stung Hav as well? A: Sure”]; **D54/42.1** Heng Viech DC-Cam Statement WRI, EN 00983450 [“The trucks were used to transport earth to build a military port at Stung Hav. [...] I occasionally saw the port because I was in Stung Hav, which covered an area of nine square kilometres”], EN 00983451 [“Q: Did you go to the port construction site? A: Yes, because I was in charge of the lathes and a member of 170”]; **D54/106.2** Sann Kan alias Buth DC-Cam Statement, EN 01509192 [“Q: Was there a jetty called Steung Hav Jetty? A: At Steung Hav there was not yet any significant thing built. But there was a project for a military port there.”]; **D114/186** Sath Chak WRI, A141-142, 149 [“Q: Whilst you were in the Navy of the Khmer Rouge in Kampong Som, did you hear of Stung Hav? A141: Yes, I did. Q: What did you hear about it? A142: I was told about the plan to build a military harbour. [...] A149: I heard that they constructed a harbour there”]; **D54/13** Pres Mean WRI, A18 [“How many meters into the sea had the port been constructed at that time? A18: I heard that it reached about 500 meters into the sea”]; **D54/98** Heang Ret WRI, A111 [“To my knowledge, the port had not been completed yet when the Khmer Rouge regime collapsed”]; **D114/79** Kang Sum WRI, A271-272 [“Q: Now we go back to 1976. In 1976, who controlled the quarry worksite in Au Mlou? A271: Ta Nhan did. He was in charge of logistics. Q: Do you know what the rocks extracted from the quarry was used for? A272: The rocks were used to build a port in Stung Hav”]; **D114/130** Iem Phong WRI, A118 [“Q: Were there many soldiers at the port? A118: There were four or five Chinese soldiers. They had stone breaking machines over there”]; **D1.3.13.13** Touch Souley OCP Statement, EN 00217574 [“During the Sihanouk and Lon Nol regimes the main naval base was at Ream. During the Khmer Rouge period the naval bases rotated. They usually loaded ammunition at Ream, then sailed to Ocheteal, Koh Rong or Stung Hau. The construction commenced at Stung Hau in 1976, with more intensive construction taking place in 1977, with the placing of earth in the water. The construction may have been done by Regiment 22 soldiers - but he can not remember the commanders’ name. There were also Chinese technicians there. It was not a major construction they just put earth in the water”]; **D59/1/1.11a** Hieng Ret DC-Cam Statement, EN 00974101 [“Q: How many naval ports were there then? A: There was only Ream Port. Later on, we built temporary harbours at Koh Rong Island and Ou Chheu Teal, but another concrete port was planned for Stung Hav”].

2452 **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971213 [“Q: What did they use rocks for? A: They used rocks for building jetty and dam. They also used us to dig well”]; **D114/178** Oem Sokhan WRI, A73 [“I experienced hardship and suffering when I worked and stayed at the rock-breaking worksite. They did not use machinery to lift the rocks; they used human labour. We had to use all our energy to carry those rocks. That was why there was a long dam for the building of the port”]; **D114/244** In Yoeu WRI, A48-49 [“Q: As you knew, approximately how many people in total worked at Stung Hav Worksite? A48: There were two worksites. In one worksite, workers had to dig earth and break rock to fill Tumnob Rolok Thmei Dam [new wave dam]. In another worksite, workers also had to break rock to fill Tumnob Rolok Thmei Dam. Q: What were you assigned to do at Stung Hav? A49: At Stung Have, I was assigned to break rock to fill Tumnob Rolok Dam”].

2453 *See, e.g.*, **D114/113** Koem Men WRI, A176 [“Q: What was Stung Hav? A176: In the past, it was a kerosene factory”]. *See also* **D114/83.2** Sok Neang WRI Annex: Sketch of Places, 11 Jun 2015, EN 01147507; **D54/68.1** Nong Net (Norng Net) WRI, Annex: Sketch of Places and Roads, 5 Mar 2014, EN 01145014; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983513 [“I was assigned to help build the road along the coast at Stung Hav”].

2454 **D114/215** Meas Im WRI, A70 [“The first technical task was to construct the road from the oil factory to Stung Hav. Second, was constructing the up-and-down road(s) in Stung Hav Worksite and levelling things from the foot of the mountain to Stung Hav beach to make it flat”].

2455 **D54/77** Uy Nhik WRI, A39 [“At first, we worked manually. They gave us a steel club, and we dug rock on a hill, and collected and loaded rocks onto lorries. Some rocks were so big that two or three people needed to carry them onto lorries. We could break only a truckload of rocks per day. Later, the Chinese came to assist us. When the Chinese came, they drilled the rock and broke the rock by using gunpowder. Thus the work was easier than when we did it manually”]; **D114/121** Suon Phar WRI, A42 [“We worked in groups, mainly

breaking rocks using hammers. Other groups loaded rock on lorries. Some other groups were assigned to use explosives to break rocks”].

2456 **D54/3.1** Hour Chea, *Four Years with the Khmer Rouge* (excerpt), EN 01520857 [“Our job was to clear away stone blocks cluttering a natural U-shaped creek approximately fifty meters wide and three hundred meters long”].

2457 **D4.1.754** Organisation of Sector 37 and 3rd/164th Division Forces on Tang Island after the Mayaguez Incident, EN 00387429 [“In 1978 source was sent to make gravel near Stung Hav”].

2458 **D54/8** Dol Song WRI, A27, 32 [“Later, my unit was sent to Stung Hav to clear forests, build roads and break rocks. [...] A32: My battalion broke rocks to construct a port and cleared forests”]; **D54/100** Lay Bun Hak (Lay Boonhak) WRI, A65 [“I went to remove brush at Stung Hav”]; **D54/77** Uy Nhik WRI, A36 [“When we first arrived, we were assigned to clear forests and build shelters”]; **D54/87** Prum Sarat WRI, A100 [“When I first went there they had me clear forest to build the road to that worksite”]; **D54/99** Lay Bun Hak (Lay Boonhak) WRI, A32-33 [“After finishing the course they sent me to work with the Chinese to clear brush in the forest for the Chinese to study the project of building a new port at Stung Hav. [...] A33: I was there for three months, and I then went to cut forest at Stung Hav”]; **D114/178** Oem Sokhan WRI, A19 [“During the first year, we were assigned to clear forests [...] and we cleared 50 to 100 hectares of forested land”]; **D114/219** San Chuon WRI, EN 01395464 [“they took me to, at the start of 1977, took us to chop down forest Kup, near Stung Hav”].

2459 **D54/77** Uy Nhik WRI, A36 [“When we first arrived, we were assigned to clear forests and build shelters”]; **D114/104** Iem Phong WRI, A39 [“Later they demobilised me and gave me a machete to cut down trees for building houses, and they had me break rocks for building a port in Stung Hav with the Chinese”]; **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073815 [“They mobilized soldiers to build shelters for workers then. They build a railroad connecting with the place. Soldiers were assigned to build long shelters for the workers who built the railroad. I saw those workers. [...] Q: They were workers, not soldiers. Is it correct? A: They were not soldiers but workers, and they were Khmer”]; **D54/68** Nong Net (Norng Net) WRI, A2, 4 [“During that time Hoeun brought us from Trapeang Kraloeng by a panel truck to Kampong Som and then to Stung Hav for building the drainage bridge across the railway there. [...] A4: [...] [T]here was a railway crossing the road near my worksite. My worksite was about 40 to 50 metres north of that railway crossing”]. See also **D114/219** San Chuon WRI, A24 [“They had me do the work like that about which I previously spoke, having me move fertilizer to put on sugar cane and the like, growing tubers for a long time and working on the O-Treh Bridge, on the same day”].

2460 **D54/113** Leang Bea WRI, A100 [“In your answer given to the DC-Cam, you spoke about a building in Stung Hav. What was the building? A100: The building was to repair military ships”].

2461 **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.05.26-11.06.35 [“I left Trapeang Kraloeng to Stung Hav, and over there, we were asked to build a new railroad and the sewage system at Stung Hav”]; **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073815 [“Soldiers were assigned to build long shelters for the workers who built the railroad. [...] Q: They were workers, not soldiers. Is it correct? A: They were not soldiers but workers, and they were Khmer”]; **D114/16** Sok Vanna WRI, A28 [“Q: What segment of the railway was built by Division 3? A28: As far as I knew, my regiment built the railway from Veal Rinh to Kampot, and Regiment 31 commanded by Sari built the railway from Veal Rinh to Stung Hav”]. See also **D1.3.32.35** Prach Sak DC-Cam Statement, EN 00329448 [“I went carrying nothing on a boat to the island and followed the Steung Hav east through the forest and new railway that had been cleared”]; **D54/68** Nong Net (Norng Net) WRI, A4 [“During that time a new railway was built alongside the old railway”]; **D54/105** Ek Ny (Ek Ni) WRI, A18 [“It happened to workers at new railway”].

2462 **D54/12** Pres Mean WRI, A13 [“When I left Koh Tang Island in mid1976, I was assigned to drill rock. In early 1977, I was assigned to be a boat driver for a ground force unit. There were four boats in the fishing unit, and seven people worked on each boat. We fished to supply the rock breaking site”].

2463 **D54/35** Brak Sokha (Prak Sokha) WRI, A17 [“I was sent to Stung Hav. There, I was ordered to dig a circular pit 30 metres in diameter and to a depth of 10 metres at the foot of a hill, below the house for Chinese guests”].

2464 **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070546 [“They were required to work hard carrying dirt or digging ponds”].

2465 **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971213 [“Q: What did they use rocks for? A: They used rocks for building jetty and dam. They also used us to dig well”]; **D54/36** Brak Sokha (Prak Sokha) WRI, A24 [“There were several worksites in Steung Hav area. We gathered every morning to wait for

the assignment for different kinds of work. Some of us were sent to break rocks. Others were sent to dig wells or build pier”].

2466 **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073818 [“Sometimes we were assigned to grow rice. Both ordinary people and soldiers were assigned to do all kinds of work in different places”]; **D114/219** San Chuon WRI, A24 [“They had me do the work like that about which I previously spoke, having me move fertilizer to put on sugar cane and the like, growing tubers for a long time and working on the O-Treh Bridge, on the same day”]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 [“When on the mainland, he was involved in farming work at Stung Hav planting potatoes, sugar cane and paddy in small paddy fields”]; **D54/33** Ing Chhon (Y Chhon) WRI, A20 [“There, they had us farm rice”]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983510-11 [“I was assigned to do rice farming in Stueng Cooperative, and, around 10 days later, I was further assigned to look after a pair of buffaloes”]; **D59/2/2.14a** Leang Bie (Leang BeaBea) DC-Cam Statement, EN 01333455 [“Q: People who committed mistakes were taken to break rocks. The rocks were used to build Stung Hav Port. Did you know about this? A: No, I didn’t. I only knew about people being sent to farm rice over there for there was someone I knew was sent there where he remained until the day when the Vietnamese troops came”]; **D114/178** Oem Sokhan WRI, A19 [“During the first year, we were assigned to clear forests and grow sugar cane, banana, and cassava”]; **D114/219** San Chuon WRI, EN 01395464 [“They had my group cultivate plants, such as corn”]; **D54/77** Uy Nhik WRI, A36 [“Then they assigned us to grow cassava and sugar cane”]; **D114/178** Oem Sokhan WRI, A19 [“During the first year, we were assigned to clear forests and grow sugar cane, banana, and cassava”]; **D1.3.13.11** Sieng OCP Statement, EN 00217566 [“When on the mainland, he was involved in farming work at Stung Hav planting potatoes, sugar cane and paddy in small paddy fields”]; **D114/219** San Chuon WRI, EN 01395464 [“They had my group cultivate plants, such as corn, cassava, and sugar cane”].

2467 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983510-11 [“I was assigned to do rice farming in Stueng Cooperative, and, around 10 days later, I was further assigned to look after a pair of buffaloes”]; **D114/79** Kang Sum WRI, A303 [“Q: What did you do in Steung Hav? A303: They had me raise chickens”]; **D54/9** Min Phon WRI, A6 [“During living at Stueng Hav, I was trained to use 82-millimetre mortars. I was also assigned to take care of one of the two elephants of the unit used for transporting heavy materials”].

2468 **D54/68** Nong Net (Norng Net) WRI, A21 [“We worked from 7 a.m. to 11 a.m., had a rest for a lunch break and worked continually from 1 p.m. to 5 p.m.”]; **D54/12** Pres Mean WRI, A21 [“We worked from 7 a.m. to 11 a.m.; then we had lunch. We started work again from 1 p.m. to 5 p.m.”]; **D54/77** Uy Nhik WRI, A36 [“At 7 a.m. we went to work at the rock-breaking site until 11 a.m., when we rested for lunch”]; **D114/121** Suon Phar WRI, A42 [“We worked from 7.00 a. m. to 5.00 p.m. Lunch break was from 11.00 a.m. to 1.00 p.m.”]; **D114/83** Sok Neang WRI, A44 [“We left our shelter at 0730 and stopped for lunch break at 1100”]; **D114/109** Prum Sambath WRI, A235 [“We started work at 7.00 a.m. and rested at 11.00 a.m.”]; **D114/244** In Yoeu WRI, A61 [“Q: What were the work hours at Stueng Hav Worksite? A61: We worked from 7.00 to 11.00”]; **D114/86** Chet Bunna WRI, A28 [“Working hours were shorter in that we worked between 0600 and 1030, and resumed between 1330 and 1630 or 1700”].

2469 **D54/68** Nong Net (Norng Net) WRI, A21 [“We worked from 7 a.m. to 11 a.m., had a rest for a lunch break and worked continually from 1 p.m. to 5 p.m.”]; **D54/12** Pres Mean WRI, A21 [“We started work again from 1 p.m. to 5 p.m.”]; **D54/77** Uy Nhik WRI, A36 [“Then we started working from 1 p.m. to 5 p.m., when we rested for dinner”]; **D114/121** Suon Phar WRI, A42 [“We worked from 7.00 a. m. to 5.00 p.m. Lunch break was from 11.00 a.m. to 1.00 p.m.”]; **D114/109** Prum Sambath WRI, A235 [“We resumed work at 1.00 p.m. and worked until 5.00 p.m.”]. *See also* **D114/83** Sok Neang WRI, A44 [“We left our shelter at 0730 and stopped for lunch break at 1100. We resumed work at 1400. We would work until 1700”].

2470 **D114/219** San Chuon WRI, EN 01395464 [“We had to get up to work from 4 a.m.”]; **D54/33** Ing Chhon (Y Chhon) WRI, A20 [“Sometimes, we awoke at 4.00 a.m.”].

2471 **D54/33** Ing Chhon (Y Chhon) WRI, A20 [“Sometimes, we awoke at 4.00 a.m. and worked continuously until 9.00 p.m. at night”].

2472 **D54/68** Nong Net (Norng Net) WRI, A22 [“We just worked from 7 a.m. to 11 a.m. and had a rest for 10 minutes at 9.30 a.m. In the afternoon, we started to work from 1 p.m. to 5 p.m. and took a rest for 10 minutes at 3.30 p.m.”].

2473 **D54/77** Uy Nhik WRI, A36 [“At 5.30 p.m. we went to grow sugar cane and cassava until 7 p.m.”].

2474 **D2/7** Pen Sarin WRI, A10 [“We worked under rain and in the night from 9 pm to 12 am”]; **D2/7** Pen Sarin WRI, A10 [“We worked under rain and in the night from 9pm to 12am”]; **D114/83** Sok Neang WRI, A39

["Q: Now let us change the topic to talk about Stung Hav. Can you describe the port construction plan? A39: In Stung Hav, we had specific working hours— there were the night and day shift workers"].

2475 **D54/33** Ing Chhon (Y Chhon) WRI, A20.

2476 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 ["If someone committed a technical mistake they were called up for tempering"]; **D114/178** Oem Sokhan WRI, A20, 25, 31-32, 41 ["It was a tempering site. We had to do it; we could not refuse [...] Q: You said Stung Hav was a tempering site. As you were a soldier, what does the word 'temper' mean? A25: 'To temper' means they had us work to rebuild ourselves. [...] A26: When they took us to be tempered, we faced problems. [...] A31: Company 19 or Kor 19 was one unit that tempered us. [...] A32: We tempered under this unit; this was what we were assigned to take the rocks. [...] A33: They were in different units; we were in tempering groups. They had rights in the division. My group was a tempering group, so we did not have the right to possess weapons. [...] Q: Can you estimate how many soldiers were tempered in Stung Hav? A41: All of the soldiers from all of the islands were stationed in Stung Hav. Some platoon soldiers were arrested, so there were only around 200 soldiers, no more than 300 soldiers, left. The number of soldiers who were taken from the islands was about 250, because some soldiers were arrested and mistreated. It was chronically chaotic"].

2477 **D1.3.13.11** Sieng OCP Statement, EN 00217566 ["People brought to the quarry were people who were considered to have tendencies or bad elements and included soldiers and their relatives who were members of the previous regime"]; **D54/13** Pres Mean WR, A33 ["Q: You said that the soldiers regarded as no-good elements were sent to break rocks. Why was the breaking and carrying of rocks given to the no-good elements? A33: Because breaking and carrying rocks was heavy labor"]; **D54/77** Uy Nhik WRI, A23-24 ["At that time, they transferred around 80% of the former soldiers of Battalion 386 from Sector 37 to work at a rock-breaking site at Stung Hav because those soldiers were accused of being 'no-good elements'. [...] A24: They accused people in Sector 37 of being 'no-good elements' because that area had been organised by Vietnam since 1970. Thus they accused us of having connections with the Vietnamese"]; **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971213 ["Q: What was your mistake then which led to your removal and being sent to the mobile unit? Was there anything wrong with your family? A: The reason behind my removal related to the killing of my father. They accused my father of having a connection with the enemy. At that time I even did not know what year they had taken my father to be killed"]. *See also* **D2/23** Stung Hav Rock Quarries and Related Sites Site ID Report, EN 00644147 ["People who were considered to be "bad elements" or "tendencies" were sent to Stung Hav. This included people whose relatives had been members of the previous regime"]; **D54/12** Pres Mean WRI, A13 ["In late 1977, my biography was investigated, and they discovered that it was not good. So they seized my gun, removed me from the fishing unit, and had me be a worker carrying rocks"]; **D114/109** Prum Sambath WRI, A224 ["Q: Were you sent to Stung Hav as a form of punishment? A224: Yes, we were. It seemed to be a kind of punishment because our authority was completely undermined"]; **D54/8.1** DK Military Meeting Minutes, *Meeting Minutes of Comrade 164*, 9 Sep 1976, EN 01509242 ["So far the Division Committee have divided the not-good people and singled them out so that they don't mingle with the good ones"].

2478 *See, e.g.,* **D54/36** Brak Sokha (Prak Sokha) WRI, A22 ["For serious offence prisoners they were sent to Teuk Sap. For light offense prisoners they were sent to Stung Hav for tempering"].

2479 **D114/178** Oem Sokhan WRI, A17. *See also* **D114/208** Long Phansy WRI, A15 ["Later, that is in 1976, they did not trust me, so they removed me from the Artillery Battalion and had me go stay at Stung Hav"].

2480 **D54/8.1** DK Military Meeting Minutes, *Meeting Minutes of Comrade 164*, 9 Sep 1976, EN 01509244 ["Internal situation: Interrogation of Vong Sruol will need to be carried out now. It appears to be no gain in separating those who had made the escape to other units. As long as there are enemies amongst them they could still carry out their activities. Their biography shall be well grasped and that they need to be put in group to do farming. - Any soldier shall be collected"]; **D114/121** Suon Phar WRI, A29 ["they took my biography yet again while I was working at Stung Hav"]; **D114/178** Oem Sokhan WRI, A47-48 ["Q: When you were tempered in Stung Hav, did you and the others face any difficulties? Was your biography taken? A47: Each of us had our biography recorded in Stung Hav. We spoke to them and they wrote down what we said. Q: What was the name of the person who wrote down the biographies? [...] A48: It was the company commander in charge there. His name was Pon"]; **D114/130** Iem Phong WRI, A108, 129-131 ["Q: Did you ever see Rin again? A108: No, they took him away. [...] Q: Did you ever see people arrested after they made their biographies? A129: I saw them taking two or three people away. [...] Q: Did you ever see those people again? A130: No. [...] Q: Did you ever hear from other people what happened to them? A131: I just concluded myself that those people were taken to be killed"].

- 2481 **D54/13** Pres Mean WRI, A8, 24-25, 30 ["I do not remember if the bad-element unit that worked in the other rock breaking sites joined in the meeting or not. [...] A24: [...] The no-good elements were organized into three companies designated 17, 18 and 19. [...] A25: I think there were about 100 people for each unit. [...] A30 ["The three bad element companies were bad elements from Regiment 61]; **D114/186** Sath Chak WRI, A151 ["As far as I know, they were former soldiers, but they were 'bad elements' or soldiers with bad backgrounds, and those who made minor mistakes who were not detained in prison but were taken to that place"].
- 2482 **D54/76** Uy Nhik WRI, A16-17 ["At that time, they accused former soldiers of the Sector 37 and East Zone persons of having no-good tendencies. [...] A17: In 1977, when they sent me to work in a production unit"].
- 2483 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 ["The witness stated that when people were identified as having former regime connections, they were sent away, which may have meant that they were executed"].
- 2484 **D54/13** Pres Mean WRI, A33 ["Q: You said that the soldiers regarded as no-good elements were sent to break rocks. Why was the breaking and carrying of rocks given to the no-good elements? A33: Because breaking and carrying rocks was heavy labor"].
- 2485 **D114/178** Oem Sokhan WRI, A26-27.
- 2486 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657355.
- 2487 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657355. See also **D54/8** Dol Song WRI, A38 ["Yes, as I mentioned yesterday, bad elements were sent to work at different places"].
- 2488 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657356.
- 2489 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657356.
- 2490 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 ["If someone committed a technical mistake they were called up for tempering"].
- 2491 See generally, **VIII.E.3. Crimes – Murder and Enforced Disappearances; VIII.E.3. Crimes - Unlawful Imprisonment and Torture.**
- 2492 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983511 ["If they had accused anyone of being an enemy, that person would be officially regarded as an enemy and be taken for execution immediately"].
- 2493 **D114/130** Iem Phong WRI, A127 ["Next, they asked about our family status, if we were from a poor or middle-class family. If we told them that we were from a poor or middle-class family, they would monitor us accordingly. Middle-class workers were considered rich people, and they were taken to be killed. If we said we were poor people, that would not be much of a problem because we were from the low-class"]; **D114/208** Long Phansy WRI, A30 ["Q: Can you tell me about your arrest? Please recount what happened! A30: [...] The second reason was that they found that my family was that of the rich, which was a target for them to eliminate"].
- 2494 **D114/130** Iem Phong WRI, A99, 104-105, 107, 127 ["at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers. [...] A104: [...] we did not get enough to eat. When we were too hungry, we looked for fruit or potatoes to eat, and they would kill us if they caught us. [...] A105: [...] if they saw us stealing, they would beat us to death. I personally saw them arrest a man and order a child only this tall (150 centimetres tall) to beat the man. That child beat him until he lost consciousness. When he awoke, they took him away. [...] Q: Did you ever see other people taken to be detained or killed? A107: Rin, a group leader, was tied up and beaten. Rin stole tobacco. Their tobacco disappeared at night, and after they knew about it, they took him to be tied up under the sun and beat him and kept him there for one day. After that, they took him away. I did not know where they took him. [...] Q: You said that they had you attend the life-view meetings. What did they ask you? A127: First, they asked who introduced us to join [the revolution], and then they asked if we had made any mistakes or stolen anything. Next, they asked about our family status, if we were from a poor or middle class family. If we told them that we were from a poor or middle-class family, they would monitor us accordingly. Middle-class workers were considered rich people, and they were taken to be killed. If we said we were poor people, that would not be much of a problem because we were from the low-class"].
- 2495 **D54/77** Uy Nhik WRI, A36, 38, 51 ["If anyone did not wake up on time or was late, the squad chief would beat that person with a club or a cane, accusing that person of being lazy. If a person committed such a wrongdoing a few times, and did not change their behaviour, that person would be removed and disappeared forever. [...] A38: [...] If they did not like us, they transferred us away, and we disappeared forever. [...] A51: [...] after they were transferred away, they never returned"].

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D1.3.13.8 Pen Sarin OCP Statement, EN 00217561 ["If someone committed a technical mistake they were called up for tempering. When such a call occurred, the people called up disappeared. The witness believed they were taken to the Bokor area in Kampot Province"]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983510-11 ["I was assigned to do rice farming in Stueng Cooperative, and, around 10 days later, I was further assigned to look after a pair of buffaloes. They told me that, if that pair of buffaloes got lost, I would be executed"]; **D54/12** Pres Mean WRI, A24 ["I once saw a soldier in my unit being taken away and disappeared forever because he had used a wrong grade of engine lubricant which caused a motorboat engine to break down. He was taken away and disappeared permanently. He was a boat driver in a fishing group supplying the rock breaking site. And another one was also taken away and disappeared because the boat he was driving struck a rock. If someone driving a truck hit something, that person would also be taken away"]. See also **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082175 ["The witness directed us to a river where an accident with a boat occurred resulting in the purge of one of his comrades"], EN 01082181 ["Referring to his statement, the witness showed the rocks in the river referring as the incident location where a boat driver hit the rocks. As a consequence, the boat driver was taken away and disappeared"]; **D114/219** San Chuon WRI, A61 ["Q: For what purpose were you tortured? A61: They tortured us (1) as they accused us of being enemies and the like who were in league with the Yuon, because although we did not know about his, they made that accusation; (2) we broke hoes and baskets, we dug around for tubers to eat and the like, which when they saw this, they accused us of being enemies"]; **D114/130** Iem Phong WRI, A99, 127 ["at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers. [...] Q: You said that they had you attend the life-view meetings. What did they ask you? A127: First, they asked who introduced us to join [the revolution], and then they asked if we had made any mistakes or stolen anything. Next, they asked about our family status, if we were from a poor or middle class family. If we told them that we were from a poor or middle-class family, they would monitor us accordingly. Middle-class workers were considered rich people, and they were taken to be killed. If we said we were poor people, that would not be much of a problem because we were from the low-class"].

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D114/130 Iem Phong WRI, A99, 127 ["at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers. [...] Q: You said that they had you attend the life-view meetings. What did they ask you? A127: First, they asked who introduced us to join [the revolution], and then they asked if we had made any mistakes or stolen anything. Next, they asked about our family status, if we were from a poor or middle class family. If we told them that we were from a poor or middle-class family, they would monitor us accordingly. Middle-class workers were considered rich people, and they were taken to be killed. If we said we were poor people, that would not be much of a problem because we were from the low-class"]; **D114/208** Long Phansy WRI, A30 ["The second reason was that they found that my family was that of the rich, which was a target for them to eliminate"].

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D114/86 Chet Bunna WRI, A19 ["all the forces that had been demobilized from the Navy were sent to Stung Hav from 1977 onwards"].

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D114/178 Oem Sokhan WRI, A19, 33 ["They took us from the island, and they took our weapons from us. [...] A33: [...] My group was a tempering group, so we did not have the right to possess weapons"]; **D54/76** Uy Nhik WRI, A18 ["I do not know exactly who made the decision to disarm the former soldiers in Sector 37 and send them to work at various worksites"]. See also **D54/105** Ek Ny (Ek Ni) WRI, A18 ["[(following 'amnesty')] The name of my unit was changed from the production unit to Tumnob Rolok Worksite Force"].

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D114/244 In Yoeu WRI, A53 ["It was the production unit like before"].

D54/77 Uy Nhik WRI, A31 ["After they transferred me out, my living conditions were much harsher than they were when I was a soldier. In the military, I had enough food to eat, and my work was not so harsh; however, after I was sent to join a production unit at Stueng Hav, I did not have enough food to eat, and the work was much harsher than before"]. See also **D114/86** Chet Bunna WRI, A5, 12.

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D114/79 Kang Sum WRI, A174.

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D114/109 Prum Sambath WRI, A224 ["Q: Were you sent to Stung Hav as a form of punishment? A224: Yes, we were. It seemed to be a kind of punishment because our authority was completely undermined"].

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D114/208 Long Phansy WRI, A15.

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D114/208 Long Phansy WRI, A19.

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D114/208 Long Phansy WRI, A20.

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D114/208 Long Phansy WRI, A30 ["After they took me to unit 612, they kept me under surveillance and examination"].

- 2508 **D114/208** Long Phansy WRI, A30 ["The problem for which I was removed from the unit emerged from the finding of their examination that I was CIA-KGB. After they took me to unit 612, they kept me under surveillance and examination; that is, when I went down to work, when work was handed over to me, their examination that in my unit there were broken metal bars and broken cask gaskets. They accused me of wrecking. This was the first reason. The second reason was that they found that my family was that of the rich, which was a target for them to eliminate. One of my brothers who was working as an electrical engineer in Phnom Penh was arrested and taken to be killed, and my other two younger brothers also died for reasons I do not know"].
- 2509 **D114/208** Long Phansy WRI, A31 ["The regiment called me to attend a meeting in order to prepare my arrest, but from whom the order came, I did not know. The ones who arrested me were regiment, Moeurn and Lan. They were at the meeting location. It was not until maybe 8.00 p.m. or 9.00 p.m. that the meeting began, and I was arrested then and there"].
- 2510 **D54/97** Khoem Yat WRI, A35.
- 2511 **D114/130** Iem Phong WRI, A104.
- 2512 **D54/97** Khoem Yat WRI, A32.
- 2513 **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.06.35-11.07.20 ["All of the workers there came from the East Zone"]; **D54/105** Ek Ny (Ek Ni) WRI, A18 ["I would like to share with you a shocking event at Stung Hav. It happened to workers at new railway. Those workers were from the North Zone and the East Zone. [...] [T]hey arrested male workers and threw them onto the truck parking there. During that time, if their wives and children cried out, they would also be arrested and thrown onto the truck along with their husbands"]; **D114/219** San Chuon WRI, A57 ["Q: Is it correct that your contingent which together was perhaps of ten persons was entirely composed of military from the East Zone? A57: We came as military, coming from the East Zone to come live there in the Southwest Zone. Others were in command. All the chiefs were others"]. See also **D114/86** Chet Bunna WRI, A19 ["They sent all the forces tht had been demobilized from the Navy to work [...] [at Stung Hav] from 1977 onwards"]; **D114/275** Stung Hav Site ID Report, 2 Nov 2016, EN 01346014 ["The witness was a Div. 164 soldier, originated from the East Zone and merged into Div 3/164 after April 1975. [...] The witness described the purges of soldiers from the East Zone unit within Div. 164 and that his unit was sent to clear the jungle in Stung Hav at some point of time in 1977"].
- 2514 **D54/13** Pres Mean WRI, A15 ["At that time, only the leadership echelon from the East Zone had been selected out. As for the ordinary soldiers, their weapons had been confiscated and they were sent to break rocks"]; **D54/97** Khoem Yat WRI, A10 ["At that time both the East group and the Southwest group were all gathered up because it was heard that our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel. [...] Later they sent me to Steung Hav"]; **D114/112** Im Sokhan WRI, A2 ["After the Chief of Sector 37 was removed all the subordinates were sent to work"]; **D114/130** Iem Phong WRI, A99 ["after Ta Chhan was gone, we were regarded as having affiliations/tendencies. They ordered us to break stones during the day, and they provided us this much porridge-like rice (about a palm full), day and night. During the day we broke stones, and at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers"]; **D114/178** Oem Sokhan WRI, A18 ["It was not about whether we made a mistake or not, but rather all of the soldiers in the sector were sent there"].
- 2515 **D114/178** Oem Sokhan WRI, A24 ["They removed from sector level to company chairmen. I was a low-ranking soldier"].
- 2516 **D114/219** San Chuon WRI, A24.
- 2517 **D114/219** San Chuon WRI, A24.
- 2518 **D114/219** San Chuon WRI, A61, 64 ["They tortured us: (1) as they accused us of being enemies and the like who were in league with the Yuon, because although we did not know about [this], they made that accusation; (2) we broke hoes and baskets, we dug around for tubers to eat and the like, which when they saw this, they accused us of being enemies. [...] A64: They accused us of being enemies who had gone over to the Vietnamese"].
- 2519 **D114/79** Kang Sum WRI, A150 ["The Vietnamese troops entered the island through a peninsular and climbed a mountain with a helicopter pad. They attacked and came to our barracks which was adjacent to the beach. They tied us up and took us to Koh Tral island"]; **D114/186** Sath Chak WRI, A111 ["It is true that the Vietnamese captured people from my unit. [...] Those who were sent back returned to my unit. However, the unit did not allow those who had been arrested to stay together. [...] After being split up, those who had been

arrested were then transferred from our unit to the production unit, [...] it was said that those people had been to Vietnam”].

2520 **D114/79** Kang Sum WRI, A157-58 [“I was detained there for three months. [...] A158: [...] Next, the Vietnamese released us and sent us back via the Ha Tien border crossing point”].

2521 **D114/79** Kang Sum WRI, A164.

2522 **D114/79** Kang Sum WRI, A165.

2523 **D114/79** Kang Sum WRI, A174.

2524 **D114/79** Kang Sum WRI, A187 [“The 300 soldiers were separated at that time. Some were sent to Steung Hav and some others were sent to other places”].

2525 **D1.3.13.8** Pen Sarin OCP Statement, EN 00217560 [“The females, about 40-50 were April 17 women”].

2526 **D54/36** Brak Sokha (Prak Sokha) WRI, A34 [“I would like to add an event that I personally witnessed at Steung Hav. I noticed that people disappeared without any reason. One night I observed that three people who were staying near me were arrested, taken to be killed. One of the victims named Chheang. I did not know the name of the other two. The person who killed them was El who was a platoon chief. I know the birth village of El and Chheang. El came from my Ang Thnaot village in Ang Ta Saom commune. I don't know if El is alive, however when I went to visit my birth village I did not see him. Those victims were accused of violating disciplines of *Angkar*. Chheang was taken to be killed however he survived. He returned to ask for some water to drink. His head was injured. El saw blood on Chheang so he took him to be killed again. I did not know how he was killed. Chheang came from Ta Koam village, Ta Phem commune, Tram Kak district, Takeo province”]; **D114/130** Iem Phong WRI, A99, 101, 104-105, 107-08 [“Anyone who committed a mistake was taken to be killed by fellow quarry workers. [...] A101: They took two or three personnel to be beaten to death. [...] A104: [...] we did not get enough to eat. When we were too hungry, we looked for fruit or potatoes to eat, and they would kill us if they caught us. [...] A105: [...] if they saw us stealing, they would beat us to death. I personally saw them arrest a man and order a child only this tall (150 centimetres tall) to beat the man. That child beat him until he lost consciousness. When he awoke, they took him away. [...] Q: Did you ever see other people taken to be detained or killed? A107: Rin, a group leader, was tied up and beaten. Rin stole tobacco. Their tobacco disappeared at night, and after they knew about it, they took him to be tied up under the sun and beat him and kept him there for one day. After that, they took him away. I did not know where they took him. Q: Did you ever see Rin again? A108: No, they took him away”]; **D114/121** Suon Phar WRI, A47 [“From my understanding, when they arrested someone who tried to run away, that person was killed”]. *See also* **D114/155** Sok Ren WRI, A61 [“Stueng Hav was a site for reeducating those people before deciding whether they would be killed or be kept”].

2527 **D114/155** Sok Ren WRI, A61.

2528 **D114/130** Iem Phong WRI, A132.

2529 **D114/130** Iem Phong WRI, A127 [“Next, they asked about our family status, if we were from a poor or middle-class family. If we told them that we were from a poor or middle-class family, they would monitor us accordingly. Middle-class workers were considered rich people, and they were taken to be killed. If we said we were poor people, that would not be much of a problem because we were from the low-class”]; **D114/208** Long Phansy WRI, A30 [“Q: Can you tell me about your arrest? Please recount what happened! A30: [...] The second reason was that they found that my family was that of the rich, which was a target for them to eliminate”]; **D114/130** Iem Phong WRI, A99, 104, 127 [“at night they held life-view meetings. Anyone who committed a mistake was taken to be killed by fellow quarry workers. [...] A104: [...] we did not get enough to eat. When we were too hungry, we looked for fruit or potatoes to eat, and they would kill us if they caught us. [...] Q: You said that they had you attend the life-view meetings. What did they ask you? A127: First, they asked who introduced us to join [the revolution], and then they asked if we had made any mistakes or stolen anything. Next, they asked about our family status, if we were from a poor or middle class family. If we told them that we were from a poor or middle-class family, they would monitor us accordingly. Middle-class workers were considered rich people, and they were taken to be killed. If we said we were poor people, that would not be much of a problem because we were from the low-class”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“The witness stated that when people were identified as having former regime connections, they were sent away, which may have meant that they were executed”]; **D114/178** Oem Sokhan WRI, A28 [“Q: Could you please tell us how they mistreated you? A28: If we went against them, we were taken to be killed”].

2530 **D114/130** Iem Phong WRI, A107 [“Q: Did you ever see other people taken to be detained or killed? A107: Rin, a group leader, was tied up and beaten. Rin stole tobacco. Their tobacco disappeared at night, and after

they knew about it, they took him to be tied up under the sun and beat him and kept him there for one day. After that, they took him away. I did not know where they took him”]; **D54/77** Uy Nhik WRI, A36, 38, 51 [“If anyone did not wake up on time or was late, the squad chief would beat that person with a club or a cane, accusing that person of being lazy. If a person committed such a wrongdoing a few times, and did not change their behaviour, that person would be removed and disappeared forever. [...] A38; [...] If they did not like us, they transferred us away, and we disappeared forever. [...] A51: [...] after they were transferred away, they never returned”]; **D54/36** Brak Sokha (Prak Sokha) WRI, A34 [“I would like to add an event that I personally witnessed at Steung Hav. I noticed that people disappeared without any reason”]; **D54/13** Pres Mean WRI, A38 [“I saw people being taken away when I was in the fishing unit”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“If someone committed a technical mistake they were called up for tempering. When such a call occurred, the people called up disappeared. The witness believed they were taken to the Bokor area in Kampot Province”]; **D54/12** Pres Mean WRI, A24 [“I once saw a soldier in my unit being taken away and disappeared forever because he had used a wrong grade of engine lubricant which caused a motorboat engine to break down. He was taken away and disappeared permanently. He was a boat driver in a fishing group supplying the rock breaking site. And another one was also taken away and disappeared because the boat he was driving struck a rock. If someone driving a truck hit something, that person would also be taken away”]. See also **D114/60** Stung Hav Military Harbour Forced Labor Work Sites Site ID Report, EN 01082175 [“The witness directed us to a river where an accident with a boat occurred resulting in the purge of one of his comrades”], EN 01082181 [“Referring to his statement, the witness showed the rocks in the river referring as the incident location where a boat driver hit the rocks. As a consequence, the boat driver was taken away and disappeared”]; **D114/217** Neak Khoeurn WRI, A7 [“One day I saw the workers while they were eating, assembled in place to eat, when suddenly the unit chairperson called out the names of four or five persons, but I remember only one of them who is still alive today. His name is Bang Hut, who is a village chief near Kampong Smach Bridge. I see only him alive. Other than him, I don’t know where they are”]; **D114/219** San Chuon WRI, A60 [“Q: Did you ever see graves or pits in which bodies were buried in the general area of the Stung Hav jail or not? A60: In that location I did not because they sent those prisoners out. Every once in a while, one of the prisoners there with me disappeared”]; **D114/208** Long Phansy WRI, A52 [“Q: Earlier, you said that you sometimes hear the sounds of vehicles being driven into the jail; and the next morning, some prisoners had disappeared. Is this correct? A52: Yes, it is”].

2531 **D114/121** Suon Phar WRI, A47 [“Q: Did you want to do the work? Did you have other choices? A47: I did not want to do it, but I had to do it in exchange for my life. From my understanding, when they arrested someone who tried to run away, that person was killed”]; **D54/68** Nong Net (Norng Net) WRI, A33 [“There was no escape route because we ate rice collectively, so if we escaped to another place, we would not have anything to eat, and we would be killed by the soldiers who patrolled that area”].

2532 **D114/130** Iem Phong WRI, A108, 129-132 [“Q: Did you ever see Rin again? A108: No, they took him away. [...] Q: Did you ever see people arrested after they made their biographies? A129: I saw them taking two or three people away. Q: Did you ever see those people again? A130: No. Q: Did you ever hear from other people what happened to them? A131: I just concluded myself that those people were taken to be killed. [...] A132: One night at 7.00 p.m. or 8.00 p.m., they came to take my unit chief. They did not say they were taking him to be killed. They said they took him to be re-educated. After that, his wife came to ask for her husband, and I said that he had been away a long time ago, but I did not know where they took him. The personnel who took him away were from another unit, and they received orders from a higher level”]; **D54/12** Pres Mean WRI, A23 [“When someone was taken away and disappeared, nobody knew where the person was sent; they always said that they were taking the person to be educated. When they took someone to be killed or to be sent to another unit or to get married, they said that they were taking that person to be educated”].

2533 **D114/219** San Chuon WRI, EN 01395464 [“they withdrew my group from there, saying we were going up for studies, but I didn’t go yet, only those of my group in the unit had gone. Once they had been removed to go for studies, they disappeared forever. None were seen to return”].

2534 **D114/146** Uy Nhik (Uy Nhoek) WRI, A47 [“they just told us they would send the commander or the leader to work at other places. After that, they assigned other people to take charge instead. The people who were sent away disappeared, and we did not know where they were sent”].

2535 **D114/130** Iem Phong WRI, A101.

2536 **D114/219** San Chuon WRI, A60 [“Q: Did you ever see graves or pits in which bodies were buried in the general area of the Stung Hav jail or not? A60: In that location I did not because they sent those prisoners out. Every once in a while, one of the prisoners there with me disappeared”].

- 2537 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983517 ["on the morning of 7 January at 7 a.m., we were marched away. Ten of us were tied together with a rope. They started smashing us at 7 a.m. that morning. When we arrived at the killing site, they took off the rope, and we were trembling with fear. The dark complexioned executioner holding a wooden club was also trembling with fear. His commander asked him why he did not smash us, and then they wanted to shoot us to death. [...] Then they took one of us away and told him to sit still. Then they smashed him, and he went into convulsions. Q: Did they smash all 50 of the people one by one? A: Yes"]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.29.20-11.31.06 ["They beat and stabbed us"]; **D54/68.1** Sketch Map, EN-KH 00977482 [showing location of executions 2-300 metres from military base]. See also **D54/69** Nong Net (Norng Net) WRI, A42.
- 2538 **D54/105** Ek Ny (Ek Ni) WRI, A17-18 ["I worked KANG Keng until mid-1978. Then I was sent to work at Stueng Hav [...] A18: [...] I would like to share with you a shocking event at Stueng Hav. It happened to workers at new railway. Those workers were from the North Zone and the East Zone. During that time, those people stayed approximately 100 metres away from me. One day the Khmer Rouge held a meeting to tell us that the Vietnamese had entered and occupied Kratie province for more than one month. [...] One day, roughly 6 or 7 days before the Vietnamese arrived in Stueng Hav area, Kampong Som, an earth-transporting truck arrived at the new railway. Then many soldiers from the special unit arrived in their vehicles. After that, they arrested male workers and threw them onto the truck parking there. During that time, if their wives and children cried out, they would also be arrested and thrown onto the truck along with their husbands. I witnessed this shocking event. I believe that it was carried out under order of Ta Muth because the soldiers who made the arrest were from the special unit. When I saw this event, I was very saddened because I saw some of them among the group of workers working at the new railway"].
- 2539 **D54/105** Ek Ny (Ek Ni) WRI, A18 ["I think that some of them managed to escape and fled into forest"].
- 2540 **D114/178** Oem Sokhan WRI, A77-78 ["Q: We ask you this question in order that you might recall an event in which there was a mass killing of workers in Stueng Hav one week before Vietnamese entered. We received information about a group of workers who conducted a riot against the cadres, and later the workers were arrested and killed. A77: Yes, this event happened. Some people in my group managed to escape, and some were arrested and killed. In small groups, we ran into the forest. They chased and killed them. They were afraid that the front line troops had joined hands with the Yuon. They shot to destroy us. We fled into the forest. We did not have rice or water, and we parted from one another. Q: Do you know how many were arrested and killed? A78: No, I do not. We parted when we ran, but many were killed"].
- 2541 See, e.g., **D114/208** Long Phansy WRI, A30 ["Q: Can you tell me about your arrest? Please recount what happened! A30: Yes, I am able to tell you. The problem for which I was removed from the unit emerged from the finding of their examination that I was CIA KGB. After they took me to unit 612, they kept me under surveillance and examination; that is, when I went down to work, when work was handed over to me, their examination that in my unit there were broken metal bars and broken cask gaskets. They accused me of wrecking. This was the first reason. The second reason was that they found that my family was that of the rich, which was a target for them to eliminate"]; **D114/219** San Chuon WRI, A27 ["Q: Could you help us to understand more the exact location of the house where you were arrested? A27: When they arrested me, it was there on the road to Stung Hav, the road where it turns, the curve, right at that corner. They jumped down from the house, kicked us, pointed their guns at us, arrested us and took us away. We were trussed up, put into jail and interrogated"]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.26.20-11.27.31 ["We were tied for 13 days and 13 nights"]; See also **D54/69** Nong Net (Norng Net) WRI, A4 ["they tied us up, and imprisoned, interrogated, and tortured us for 13 days and 13 nights before they took us to be killed"]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983516 ["After they arrested us, they took of our clothes"]; **D54/67.2** DC-Cam Searching For The Truth, *Neth, A Life Remains From Death*, EN 00977438 ["At the meeting, a group of soldier released Hoeun and then arrested Neth and his friends, accusing the men of rebelling against the *Angkar*"]; **D114/275** Stung Hav Site ID Report, 2 Nov 2016, EN 01346014 ["He [San Chuon] was arrested in a house in Stung Hav. He then was transferred to a prison in Stung Hav where he was detained and tortured"].
- 2542 **D114/208** Long Phansy WRI, A27, 34 ["I was arrested in January or February 1977 or 1978. [...] A34: The jail had just been newly built"].
- 2543 **D114/219** San Chuon WRI, A30-32 ["Q: We could do something like that later. Did the site of the house and the site of the jail have some name or not? A30: No. There it was simply called Stung Hav Village. There was a turning in, and that day they led me into a banana grove, arriving straightaway at the jail. Q: How far was the jail from the house where they arrested your group? A31: The place of the arrest was on arrival in Stung

Hav. It was quite a walk to get there. Q: Therefore, is it correct that the house in which your group was arrested and that jail were situation within the perimeter of Stung Hav? A32: Those places were in there”]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983516 [“Q: Where was the prison? A: The prison was located at the foot of a mountain. Q: Was it at the foot of a mountain? A: Yes. Q: In which village or commune was it located? A: Stung Hav”]; **D114/208** Long Phansy WRI, A33 [“Q: Where was the jail? A33: It is in the north of the regiment in Stung Hav district”]; **D54/69** Nong Net (Norng Net) WRI, A37 [“Q: How far was it from the military compound to the road leading to Stung Hav? A37: That military compound was about 100 metres from the road to Stung Hav”]. See also **D54/68.1** Nong Net (Norng Net) WRI, Annex: Sketch of Places and Roads, 5 Mar 2014, EN 01145014; **D54/68.2** Nong Net (Norng Net) WRI, Annex: Administrative Map of Stung Hav District, Sihanouk Vill 2008-2010, 5 Mar 2014, KH 00977483.

2544 **D114/219** San Chuon WRI, A48-49 [“Q: Now we’re getting into going back to talk again about the jail at Stung Hav. How many rooms did the jail have? A48: I did not count them, but there were perhaps 20 rooms. They were 1 metre across and 1.5 metres in length. Q: Did you know, on average, how many prisoners they put in each room? A49: I only know about my time. They put one person in one room”].

2545 **D54/13** Pres Mean WRI, A37 [“But I heard from someone that there was a prison in Stung Hav. But I have never known any prisoner there who is still alive and I do not know anything about the prison. The person who told me about the prison in Stung Hav was Pen from Takeo, but I do not know where he is now”]; **D114/155** Sok Ren WRI, A61 [“I heard there was a prison in Tuck Sab and Stung Hav where political prisoners were detained”].

2546 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983513 [“We could not stand their mistreatment, so we stood up and rebelled. [...] We rebelled and arrested A Hoeun”]; **D54/68** Nong Net (Norng Net) WRI, A26, 34 [“But the working conditions at Trapeang Kraloeng and Stung Hav were very difficult. I thought human beings could not work in such conditions at Trapeang Kraloeng and Stung Hav. At the end, we could not tolerate it anymore; we were angry and we rebelled against Hoeun; then we caught him. [...] A34: One day in the evening at 5 p.m. after having a rest from the work, we talked among our workmates about the preparation of a plan to arrest Hoeun. We ran after him until a rice field and caught him about 100 metres from the worksite and we tied Hoeun with a scarf and then we sent him to the military”]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.07.20-11.08.52 [“we joined our hands to arrest Hoeun, who was in charge of the cooks [...] the person who was in charge of the cooks”].

2547 **D54/68** Nong Net (Norng Net) WRI, A34 [“Q: Can you describe the arrest of Hoeun? A34: One day in the evening at 5 p.m. after having a rest from the work, we talked among our workmates about the preparation of a plan to arrest Hoeun. We ran after him until a rice field and caught him about 100 metres from the worksite and we tied Hoeun with a scarf and then we sent him to the military. The next day, a soldier rode a motobike to tell us at the worksite to have a bath and prepare ourselves to join a meeting at the military site. That soldier called the names of 50 people from a list. When we arrived at the military place, the military let us sit and wait under a house and I saw Hoeun sitting tied up under the house too. A soldier ordered the fifty of us to sit under the house and that soldier untied the knot holding Hoeun and told Hoeun to return to work. Then, a military leader arrived and started to tell us about the method of work fulfillment for the Party. At the same time, there were about 10 other soldiers coming from all directions pointing guns at us. During that time, that military leader told us not to run. Then the soldiers started to tie the fifty of us up with our scarves”]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.07.20-11.08.52 [“we joined our hands to arrest Hoeun, who was in charge of the cooks [...] the person who was in charge of the kitchen in Stung Hav”].

2548 **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.08.52-11.10.30 [“I though Hoeun refused to give us sufficient food but they decided that Hoeun was correct and that we were wrong, so they started to tie us all”].

2549 **D54/68** Nong Net (Norng Net) WRI, A27.

2550 **D54/69** Nong Net (Norng Net) WRI, A5.

2551 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983514 [“Then Khmer Rouge soldiers came and arrested us”]; **D54/68** Nong Net (Norng Net) WRI, A29, 34 [“During that time, a lot of people rebelled against Hoeun at the Stung Hav worksite, but after that only 50 people were arrested [...] The next day, a soldier rode a motorbike to tell us at the worksite to have a bath and prepare ourselves to join a meeting at the military site. That soldier called the names of 50 people from a list. [...] A34: [...] A soldier ordered the fifty of us to sit under the house and that soldier untied the knot holding Hoeun and told Hoeun to return to work. Then a military leader arrived and started to tell us about the method of work fulfillment for the Party. At the same time there were about 10 other soldiers coming from all directions pointing guns at us. During that time that military leader told us not to run. Then the soldiers started to tie the fifty of us up with our scarves”];

D234/2.1.138 Nong Net, T. 10 Nov 2016, 11.08.52-11.10.30 ["they came to take us to go to have a meeting to resolve the matter of Hoeun's arrest, and when we arrived, we saw Hoeun there. All of us, that is, the 50 of us, were allowed to sit on wooden chairs under that model house where the meeting was held. We were told to attend a meeting to resolve this matter because we arrested our chief, that is, the person who was in charge of the kitchen in Stueng Hav. And our 50 names were called, so we went there during noontime and we were told to take a bath and wear proper clothes which consisted of only black uniforms with the blue scarf, or krama. When we arrived at the meeting, they cocked their guns and said, "Don't run! Don't run! Don't run!" I thought Hoeun refused to give us sufficient food but they decided that Hoeun was correct and that we were wrong, so then they started to tie us all. I did not know the exact date because my watch was taken"], 11.26.20-11.27.31 ["at the meeting location, we were surrounded by soldiers. And after that they cocked their guns and told us not to run. They used the blue scarves to tie all of us. I thought, we protested that how could we be wrong because we were innocent. And I was 20-something at the time, and that I never made any mistake. It was merely about eating. And the issue was about the arrest of Hoeun, because he did not give us enough rice to eat so that he could change his mind, but everything turned we were in the wrong while Hoeun was in the right. We, 50 people, were tied to be executed. We were tied for 13 days and 13 nights"].

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983514.

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983514.

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983514.

D54/68 Nong Net (Norng Net) WRI, A34 ["A soldier ordered the fifty of us to sit under the house and that soldier untied the knot holding Hoeun and told Hoeun to return to work. Then a military leader arrived and started to tell us about the method of work fulfillment for the Party"].

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983515 ["While we were at the meeting, we were surrounded by soldiers. Then they pointed their rifles at us. Their chairman told us not to run and their soldiers surround us. Then they tied us up with our scarves. All 50 of us were arrested"]; **D54/69** Nong Net (Norng Net) WRI, A11 ["They removed the scarf restraints from us and tied us again with electrical wires"]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.26.20-11.27.31 ["They used the blue scarves to tie all of us"].

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983516 ["The prison was located at the foot of a mountain. [...] Q: In which village or commune was it located? A: Stueng Hav"]; **D54/69** Nong Net (Norng Net) WRI, A33 ["For the other days they just ordered us to lie on the ground behind that wooden house day and night. We were routinely tied; they ordered us to stay two metres from each other"].

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983515 ["Then our great suffering started. They tied us up and starved us"]; **D54/69** Nong Net (Norng Net) WRI, A34 ["During that time, we became emaciated"]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.27.31-11.29.20 ["they debilitated us by giving us only one or two pieces of potato for each meal and then they gave us a bit of water to drink"].

D54/69 Nong Net (Norng Net) WRI, A14-17 ["The next morning, they called two of us at a time to go to a three-square metre interrogation room near that wooden house. At the interrogation room, they had one person stay outside the room with a guard and took the other person into the room to be interrogated. [...] A15: In my interrogation, there were two interrogators inside the room and one guard outside. One interrogator who was standing started asking me who introduced me to join the revolution. [...] Then they took me out of the interrogation room and left me outside the room with a guard. Then they took the one who was waiting outside to be interrogated. I could not hear what kinds of questions they asked that person clearly, but I think they asked the same questions they had asked me. Then they took the two of us back to the wooden house. [...] A16: During the 13 days and 13 nights, I was taken to be interrogated twice. [...] A17: I do not remember how many days had passed after the first interrogation, but I remember that the second interrogation was on 6 January 1979. They took two of us to the interrogation room again. When I was at the interrogation room, they asked me the same questions"].

D54/67.3 Nong Net (Norng Net) DC-Cam Statement, EN 00983515 ["They beat us and interrogated us"], EN 00983516-17 ["After they arrested us they took off our clothes so we were wearing only shorts. Mosquitoes could bite us freely. They interrogated us once a day. They asked us what rank we held, and who had introduced us to work there. I responded that I did not hold any rank as I had only [just] left the monkhood. I added that, after leaving the monkhood, I worked as a labourer in Phnom Penh. Then they beat me repeatedly until they felt tired and stopped the beatings for the day. [...] The next day, they marched two people away, and this time, they electric shocked those two people and questioned them what rank they held. Those two people responded that they did not hold any rank, and then they were electric shocked. When they did not answer, they were beaten every day. [...] When questioning him about his rank, they beat and electric shocked

him and wrapped him with plastic sheets, and then they questioned him again. Then he agreed to answer, and they removed the plastic sheets. [...] We endured great suffering. After they beat me, they tied my hands with electric wires. They tied me to a tree and brought three nests of big red ants and put them on me. Then they beat me again and stopped beating me when they were tired”; **D54/69** Nong Net (Norng Net) WRI, A13, 15, 17, 23, 25, 27-29 [“After they tied us they had us sit about two metres from each other. They did not allow us to talk or whisper to each other. If a person dared to talk with another, that person would be pistol-whipped. I remember that one person, whose name I do not remember, a former student who had finished his final grade, was seriously beaten by the soldiers because he talked with another person. There were about ten soldiers guarding around us. [...] A15: [...] Then they ordered me to lie on the ground and they beat me twice with electrical wires twisted like rope. Then they continued asking me what rank I had held in the old regime; but I told them that I had not held any rank I had just left the monkhood. [...] A17: [...] they tortured me by electrocution. Then they asked what rank I held when I was with the Yuon. I still told them that I did not hold any rank. But they kept asking me the same question and said that I had a Yuon head and a Khmer body. Because I still replied that I had no rank, they used a plastic bag to cover my head to suffocate me. Because I could not stand the pain, when they removed the plastic bag from my head, I told them that I had been a captain. Then they took me out and tied me to a Trabaek Prey tree nearby. Then they broke open three large red ant nests and put them on me; and the ants bit me all over my body. Then they took another prisoner inside the room to be interrogated. During the interrogation of that person, I heard that prisoner being interrogated and moaning due to pain. I heard them ask the person what rank that person held. I think that person might have felt too much pain that he answered that he had held the 10th rank. Then I heard the interrogator shouting and cursing that person, ‘Motherfucker, there has never been a 10th rank.’ [...] A23: There were two interrogators, one of whom cranked the dynamo to produce electricity and the other other one took the electrical wire to shock me all over my body. He used the end of the electrical wire to shock me, and he asked me again and again until they got the answers they wanted from me; otherwise they would not stop electrocuting me. [...] A25: They put me on the ground and put the end of the electrical wire on my abdomen and chest. [...] Q: Were you tied when they electrocuted you? A27: Yes, my arms were tied behind me with the electrical wire. [...] A28: They shocked me for about five minutes. [...] A29: I fainted for a while when they put the electrical wire on me”].

2561 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983516 [“I endured a lot of suffering during those 13 days and nights”]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.27.31-11.29.20 [“I counted it, we were in such situation for 13 days and nights”].

2562 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983517 [“on the morning of 7 January at 7 a.m., we were marched away. Ten of us were tied together with a rope. They started smashing us at 7 a.m. that morning. When we arrived at the killing site, they took off the rope, and we were trembling with fear. The dark complexioned executioner holding a wooden club was also trembling with fear. His commander asked him why he did not smash us, and then they wanted to shoot us to death. [...] Then they took one of us away and told him to sit still. Then they smashed him, and he went into convulsions. Q: Did they small all 50 of the people one by one? A: Yes”]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.29.20-11.31.06 [“They beat and stabbed us”]; **D54/68.1** Sketch Map, KH 00977482 [showing location of executions 2-300 metres from military base]. See also **D54/69** Nong Net (Norng Net) WRI, A42.

2563 **D114/208** Long Phansy WRI, A31 [“The regiment called me to attend a meeting in order to prepare my arrest, but from whom the order came, I did not know. The ones who arrested me were regiment, Moeurn and Lan. They were at the meeting location. It was not until maybe 8.00 p.m. or 9.00 p.m. that the meeting began, and I was arrested then and there”].

2564 **D114/208** Long Phansy WRI, A31 [“The ones who arrested me were regiment Moeurn and Lan”].

2565 **D114/208** Long Phansy WRI, A35 [“The interrogators’ names were Moeurn and Lan; they were also the ones who ran the place”].

2566 **D114/219** San Choun WRI, A67 [“When they arrested us and put us in the jail there, they stripped us of our trousers. That night, they chained our hands together behind our backs and had us sleep. The next morning, they beat and interrogated us about those matters, then chained up our hands, leaving scars until now. They chained up our legs and had us hop off to work”].

2567 **D114/208** Long Phansy WRI, A35 [“They handcuffed my hands behind my back and chained both my feet. In the morning, they started to interrogate me. First, they said, ‘Whose CIA-KGB are you? What is your rank? I answered, ‘I do not know because I really do not know.’ Later, they began to torture me using with whips to beat me. They beat me non-stop, until the whips piled up in the interrogation place. They beat me to

get me to reply with my rank and which group I was. I fainted twice in the morning, and I fainted once later during the day. The types of torture were: first, beating with whips; second, whipping with stingray's tail; third, electric shock by wire (called rakanau) using a wire emitting electricity to apply the shock to a human being). They cut the stingray's tail off and dried it so that it shrunk like a whip. The interrogators' names were Moeurn and Lan; they were also the ones who ran the place"].

2568 **D114/208** Long Phansy WRI, A56 ["I saw 2 prisoners disappear from jail because they had serious gangrene due to long cuffing, so that they could not be kept"].

2569 **D114/208** Long Phansy WRI, A57 ["There are scars on both of my legs"].

2570 **D114/208** Long Phansy WRI, A49 ["Even to shit, one had to shit in the room, and to eat, to eat in the room, too"].

2571 **D114/208** Long Phansy WRI, A51 ["I was cuffed all day and all night. Sometimes, they were kind to me and undid the cuffs when I was having my meal"].

2572 **D114/208** Long Phansy WRI, A34, 52, 54 ["They built a longhouse divided into small rooms. It was maybe 40 metres in length and 4 metres in width. Each small room was divided by two planks of wood the size of a human back. I saw quite many prisoners there, maybe from 20 to 30. Sometimes, I saw a vehicle driving to the jail at night; some prisoners disappeared the following morning. [...] Q: Earlier, you said that you sometimes heard the sounds of vehicles being driven into the jail; and the next morning some prisoners had disappeared. Is this correct? A52: Yes, it is. [...] Q: During your time held in that jail, how many times did you see that happen? A54: I saw it happen maybe twice before I left that jail"].

2573 **D114/208** Long Phansy WRI, A37 ["Q: For how long had you been detained there before they sent you to the Tuek Sab jail? A37: From the beginning of January or February 1978. I had been in Tuek Sab for maybe two or three months when the Vietnamese arrived"].

2574 **D114/219** San Chuon WRI, A24. *See also* **D114/219** San Chuon WRI, A27 ["Q: Could you help us to understand more the exact location of the house where you were arrested? A27: When they arrested me, it was there on the road to Stung Hav, the road where it turns, the curve, right at that corner. They jumped down from the house, kicked us, pointed their guns at us, arrested us and took us away. We were trussed up, put into jail and interrogated"].

2575 **D114/219** San Chuon WRI, EN 01395464 ["The next morning, they took the prisoners out one at a time to beat and interrogate them. After beating and interrogating them, in the morning, they chained them up to work, chaining them from ankle to [word missing], having them jump along to go out and cultivate plants. After that, the next morning, three more prisoners were sent out, lashed with electrical cabling and interrogated, all in the same way. After one week or ten days, a new round of beatings and interrogation started"].

2576 **D114/220** San Chuon WRI, A5.

2577 **D114/219** San Chuon WRI, A61, 64 ["They tortured us: (1) as they accused us of being enemies and the like who were in league with the Yuon, because although we did not know about this, they made that accusation; (2) we broke hoes and baskets, we dug around for tubers to eat and the like, which when they saw this, they accused us of being enemies. [...] A64: [...] They accused us of being enemies who had gone over to the Vietnamese"].

2578 **D114/219** San Chuon WRI, A66 ["They did take some notes, and we responded about these matters of the hoes and boat and their accusation that we were Yuon enemies. Things were serious at that location"].

2579 **D114/219** San Chuon WRI, EN 01395465.

2580 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983514 ["Then the Khmer Rouge soldiers came and arrested us"]; **D54/68** Nong Net (Norng Net) WRI, A29, 34 ["During that time, a lot of people rebelled against Hoeun at the Stung Hav worksite, but after that only 50 people were arrested. [...] A34: [...] The next day, a soldier rode a motorbike to tell us at the worksite to have a bath and prepare ourselves to join a meeting at the military site. That soldier called the names of 50 people from a list. [...] A soldier ordered the fifty of us to sit under the house and that soldier untied the knot holding Hoeun and told Hoeun to return to work. Then a military leader arrived and started to tell us about the method of work fulfillment for the Party. At the same time there were about 10 other soldiers coming from all directions pointing guns at us. During that time that military leader told us not to run. Then the soldiers started to tie the fifty of us up with our scarves"]; **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.26.20-11.27.31 ["at the meeting location, we were surrounded by soldiers. And after that they cocked their guns and told us not to run. They used the blue scarves to tie all of us. I thought, we protested that how could we be wrong because we were innocent. And I was 20-something at the time, and that I never made any mistake. It was merely about eating. And the issue

was about the arrest of Hoeun, because he did not give us enough rice to eat so that he could change his mind, but everything turned we were in the wrong while Hoeun was in the right. We, 50 people, were tied to be executed. We were tied for 13 days and 13 nights”, 11.08.52-11.10.52 [“they came to take us to go to have a meeting to resolve the matter of Hoeun's arrest, and when we arrived, we saw Hoeun there. All of us, that is, the 50 of us, were allowed to sit on wooden chairs under that model house where the meeting was held. We were told to attend a meeting to resolve this matter because we arrested our chief, that is, the person who was in charge of the kitchen in Stueng Hav. And our 50 names were called, so we went there during noontime and we were told to take a bath and wear proper clothes which consisted of only black uniforms with the blue scarf, or krama. When we arrived at the meeting, they cocked their guns and said, ‘Don't run! Don't run! Don't run!’ I thought Hoeun refused to give us sufficient food but they decided that Hoeun was correct and that we were wrong, so then they started to tie us all. I did not know the exact date because my watch was taken”].

2581 **D114/219** San Chuon WRI, A55 [“Q: When saying ‘there was only my group’, how many persons were there? A55: I forget the total number in my group. I guess maybe ten or so persons”].

2582 **D114/208** Long Phansy WRI, A34 [“They built a longhouse divided into small rooms. It was maybe 40 metres in length and 4 metres in width. Each small room was divided by two planks of wood the size of a human back. I saw quite many prisoners there, maybe from 20 to 30. Sometimes, I saw a vehicle driving to the jail at night; some prisoners disappeared the following morning”].

2583 **D114/230.1.1** OCIJ S-21 Prisoner List Nos 8734 [Lang Bun [Long Bun] (Lang Vuon [Long Vuon]) (Lok Vuon), Chinese Translator in Stung Hav, Kampong Som Port “Chinese”, arrested from Kampong Som Port (Industry)], 8735 [Lang Dy [Long Dy], Chinese Translator in Stung Hav, Kampong Som Port, and Brother of Lang Bun “Chinese”, arrested from Kampong Som Port], 10228 [Lim Toek, Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port], 10229 [Lim Eng Hour, Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port], 10230 [Chhour Yuy, Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port], 10231 [Sou Cheaming, Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port], 10232 [Chen Raen, Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port], 10233 [Chiv Khun (Chiv Khoun), Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port], 10234 [Hong Thieng, Chinese Translator in Stung Hav “Chinese”, arrested in Kampong Som Port]. *See also* **D54/36** Brak Sokha (Prak Sokha) WRI, A33 [“I saw Chinese visitors and their interpreter come to inspect the worksite”]; *see generally* **D59/1/1.8a** Prum Sarat WRI, EN 00974181-82.

2584 **D54/68** Nong Net (Norng Net) WRI, A21-22 [“Second the working conditions were very serious because we had to carry the heavy soil in a big Pele to build the railway. [...] A22: [...] Two persons had to carry the soil to put in the Pele which could weigh about 40 to 50 kilograms for each load of soil”].

2585 **D234/2.1.138** Nong Net, T. 10 Nov 2016, 11.07.20-11.08.52 [“We were not given sufficient food to eat, so we became overworked and exhausted”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“The witness stated that they were provided with insufficient food [...] There they had two spoons of porridge, same as at Stung Hau”]; **D114/178** Oem Sokhan WRI, A26 [“we did not have enough to eat”]; **D54/33** Ing Chhon (Y Chhon) WRI, A20 [“We were given insufficient food. We were given rice for lunch and porridge for dinner”]; **D54/77** Uy Nhik WRI, A31 [“however, after I was sent to join a production unit at Stueng Hav, I did not have enough food to eat, and the work was much harsher than before”]; **D114/86** Chet Bunna WRI, A28 [“The food was better than that at Kang Keng; however it was still insufficient”]; **D54/68** Nong Net (Norng Net) WRI, A21 [“First the food ration was not enough. We got only about 2 scoops of rice with sea fish per person at meal times”]; **D54/13** Pres Mean WRI, A26 [“But in my unit, we were given two meals per day”]; **D114/121** Suon Phar WRI, A42 [“In the morning we were given a sweet potato, and then they gave us a piece of sugar cane about half a metre long for us to gain energy. We had two meals a day”]; **D114/48** Sok Ngon WRI, A30-31, 33 [“my ship was sent to Stueng Hav where we ate poor quality food. We ate only food cooked with leaves that made us physically weak. [...] A31: [...] when my ship was anchored in Stueng Hav, we ate with the unit there. Their food was of poor quality. [...] A33: [...] the food at Stueng Hav was insufficient”]; **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971214 [“Q: Was there sufficient food when you were working in Stueng Hav? There were food shortages for one or two months. When *Angkar* said there was not enough food, we ate porridge. Q: So, were there some shortages during that time? A: Yes”]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983513 [“People did not have enough to eat”]; **D54/67.2** DC-Cam Searching For The Truth, *Neth, A Life Remains From Death*, EN 00977438 [“Neth and his friends were sent to build a drainage system near Stoeung Hao where they worked

under comrade Hoeun. The work there was very hard. Having been given insufficient food and treated badly”]; **D114/186** Sath Chak WRI, A157 [“I do not believe that they had enough food to eat. Even if I worked in a better workplace, I did not have enough food to eat. They must not have had enough food to eat”]. *See also* **D54/30.1** Soem Ny (Soem Ni) DC-Cam Statement, EN 01070546 [“their food rations were reduced. They were assigned to work, and their food was reduced”]; **D54/3.1** Hour Chea, *Four Years with the Khmer Rouge* (excerpt), EN 01520857 [“The best products were reserved and prepared specially for the numerous Chinese guests and technicians who came to assist in the construction of the “secret military port”. Fish of lower quality was distributed in adequate quantities to the different companies where it was sorted. Only the best fish was kept and the rest was thrown into a pit for making organic fertilizer. When I later learned that people in the surrounding areas had absolutely nothing to eat, I was disgusted at such waste. I did not understand why the Party preferred to throw away food rather than give it out. The starving people would have been happy to receive the fish full of bones and the small shrimps that were not fresh! They preferred to leave them to die of hunger! It was unbearable and inhumane! Was that disguised revenge by the CPK?”].

2586 **D54/68** Nong Net (Norng Net) WRI, A21 [“First the food ration was not enough. We got only about 2 scoops of rice with sea fish per person at meal times. There were two meal times per day; they were lunch at 11 a.m. and dinner at 5 p.m.”]; **D54/13** Pres Mean WRI, A26 [“But in my unit, we were given two meals per day”]; **D114/121** Suon Phar WRI, A42 [“In the morning we were given a sweet potato, and then they gave us a piece of sugar cane about half a metre long for us to gain energy. We had two meals a day”]; **D114/109** Prum Sambath WRI, A238 [“They rationed us to two mealtimes per day”].

2587 **D54/68** Nong Net (Norng Net) WRI, A21 [“There were two meal times per day; they were lunch at 11 a.m. and dinner at 5 p.m.”].

2588 **D54/33** Ing Chhon (Y Chhon) WRI, A20 [“We were given insufficient food. We were given rice for lunch and porridge for dinner”]; **D54/35.1** Brak Sokha (Prak Sokha) DC-Cam Statement, EN 00971214 [“When Angkar said there was not enough food, we ate porridge”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“The witness stated that they were provided with insufficient food [...] There they had two spoons of porridge, same as at Stung Hau”].

2589 **D54/77** Uy Nhik WRI, A36 [“At lunch time and dinner time, they gave each of us a small plate of steamed rice respectively”]; **D54/68** Nong Net (Norng Net) WRI, A21 [“First the food ration was not enough. We got only about 2 scoops of rice with sea fish per person at meal times”]; **D54/33** Ing Chhon (Y Chhon) WRI, A20 [“We were given insufficient food. We were given rice for lunch and porridge for dinner”]. *See also* **D54/3.1** Hour Chea, *Four Years with the Khmer Rouge* (excerpt), EN 01520857 [“The menu invariably consisted of fish soup and a bowl of rice”].

2590 **D54/68** Nong Net (Norng Net) WRI, A21 [“First the food ration was not enough. We got only about 2 scoops of rice with sea fish per person at meal times. There were two meal times per day; they were lunch at 11 a.m. and dinner at 5 p.m.”].

2591 **D54/77** Uy Nhik WRI, A36 [“As regards the food, in the morning they gave each of us a thirty-centimetre piece of sugar cane and a piece of cassava”]; **D114/121** Suon Phar WRI, A42 [“In the morning we were given a sweet potato, and then they gave us a piece of sugar cane about half a metre long for us to gain energy”].

2592 **D114/130** Iem Phong WRI, A104-105 [“we did not get enough to eat. When we were too hungry, we looked for fruit or potatoes to eat, and they would kill us if they caught us. [...] A105: [...] if they saw us stealing, they would beat us to death. I personally saw them arrest a man and order a child only this tall (150 centimetres tall) to beat the man. That child beat him until he lost consciousness. When he awoke, they took him away”]. *See also* **D54/13** Pres Mean WRI, A34 [“At night, someone in the unit was assigned to guard the hall. Anyone caught stealing potatoes would be arrested and beaten”].

2593 **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983514.

2594 **D114/48** Sok Ngou WRI, A33.

2595 **D114/86** Chet Bunna WRI, A28 [“They gave us only foods and clothes; they did not give us any money. As for clothes, they gave us two sets of clothes per year”].

2596 **D114/178** Oem Sokhan WRI, A26 [“When we were sick, there was not enough medicine”].

2597 **D54/13** Pres Mean WRI, A32 [“They built a long thatch-roofed hall with raised beds; each bed could accommodate two to three people. That hall was long and could accommodate about 100 people”].

2598 **D54/68** Nong Net (Norng Net) WRI, A21 [“when there were people who worked beyond their strength then got sick, they were not allowed to have a rest. The Khmer Rouge accused the sick people of being lazy and deserting the Party’s work”]; **D54/67.3** Nong Net (Norng Net) DC-Cam Statement, EN 00983513 [“Ill people were also forced to work”].

- 2599 **D114/121** Suon Phar WRI, A46, 48 ["Q: Could you take a rest or visit your family? A46: I never asked permission to visit home because I knew they never granted permission. [...] A48: [...] Very often I missed my home and my parents, but I never dared to ask permission to visit them"]. *See also* **D54/77** Uy Nhik WRI, A38 ["Even our relatives did not dare to ask about our conditions"].
- 2600 **D114/86** Chet Bunna WRI, A28 ["The work was very dangerous. The workers were prone to injuries at the quarries. Some were hit by falling rocks; they fell down and died"]; **D54/33.1** Ing Chhon (Y Chhon) DC-Cam Statement, EN 01073816 ["Soldiers also had to work hard then. Q: Did they also work hard? A: Yes, they set the amount of work. At first, two people had to quarry only four cubic metres of rock. If we could complete this, they would continuously increase the amount. Later six people had to quarry 12 cubic metres of rock. The work was very harsh, and we had a lot of suffering. There were no-rock drilling machines, so we quarried the rock manually. Those responsible for drilling holes in the rock were assigned to drill a one-metre deep hole per day. However, it was very hard to make a hole in rock. After I had made around a 30-centimetre-deep hole in the rock, I could drill faster. Q: Was it soft? A: I pounded the rock and poured water inside the hole. When we first arrived and were doing that, we suffered a lot. Q: Were your hands injured? A: Yes. At first, we made a triangular hole. After we pushed an iron bar into the rock, we turned it around and withdrew it, so that we could make a round hole"].
- 2601 **D54/77** Uy Nhik WRI, A36 ["If anyone did not wake up on time or was late, the squad chief would beat that person with a club or a cane, accusing that person of being lazy"]; **D54/36** Brak Sokha (Prak Sokha) WRI, A31 ["Sometimes someone could not complete the quota and was beaten with rattan stick"]; **D114/130** Iem Phong WRI, A93 ["The chief of the hundred-member unit called the personnel to be interrogated. For example, if we secretly talked to each other, and someone saw us and reported to the commander of the hundred-member unit, that commander would arrest us to be beaten and interrogated"].
- 2602 **D54/36** Brak Sokha (Prak Sokha) WRI, A31 ["If we said something negative about *Angkar* we would be punished"].
- 2603 **D54/77** Uy Nhik WRI, A37 ["My fear was beyond description. I lived in fear every day. Considering their treatment against me, I could not believe that I was able to survive"]; **D114/130** Iem Phong WRI, A91 ["we did not dare to talk with each other because we were afraid of being accused of communicating"]; **D114/121** Suon Phar WRI, A48 ["Yes, I was worried that one day I could lose my life"]; **D114/130** Iem Phong WRI, A92-93, 103 ["When they saw us talking to each other, they would call us for questioning. If we could answer correctly, it would be all right; but if we could not answer correctly, they would arrest us and accuse us of having tendencies/ affiliations. [...] Q: Who called the personnel to be interrogated? A93: The chief of the hundred-member unit called the personnel to be interrogated. For example, if we secretly talked to each other, and someone saw us and reported to the commander of the hundred-member unit, that commander would arrest us to be beaten and interrogated. [...] A103: [...] I did not dare ask them. I was afraid that if I asked someone I knew and then that person told others, the news would spread and there would be a problem. If we asked a lot, they would accuse us wanting to learn their plans. They would call us enemies"].
- 2604 **D54/123** Lak Saphan WRI, A3 ["At that time, there was only one commune, Ream Commune. There was not yet a Bet Trang Commune"]; **D54/18** Nou Saroeun WRI, A11-12 ["That cooperative was located in Ream Commune, which is now Bet Trang Commune. Initially it was called Tumnap Au Prai in Pu Thoeung Village, Ream Commune, not Bet Trang Commune. A12: It was renamed Bet Trang in 1979"], *confirming* **D54/22** WRIA, EN 00947618 ["The witness [Nou Sarouen] clarified that the site was known at DK as O'Brai dam, located in Theoung village, Ream commune. Directly after 1979 the name was changed into Bet Trang commune"].
- 2605 **D114/54** Wat Enta Nhien Security Center and related sites Kampong Som – Koh Rong Samloem Island Site ID Report, EN 01074096 ["Bet Trang dam is located in and beside the current Bet Trang commune. The dam nearly borders with one side to highway 4"]; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104558 ["Bet Trang dam consists of the main dam on the north east side of highway 4 [among others] [...] Names of Bet Trang dam sites: [...] Northeast of National Highway 4 was the biggest dam project; the main **Bet Trang Dam**"]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125392 ["Bet Trang main dam is located in and beside the current Bet Trang commune. The dam nearly borders with one side to highway 4"]. *See also* **D114/109** Prum Sambath WRI, A190 ["The dam crossed National Road 4"].
- 2606 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125388 ["Witness KUY NEN identified [that] [...] [i]ncluded in the dam project were 2 dams [including] [...] Bet Trang"], EN 01125392 ["Bet Trang dam consists of the main dam on the northeast side of highway 4 [...] and smaller dams south of national highway

- 4], EN 01125411 ["Northeast of National Highway 4 was the biggest dam project; the main Bet Trang Dam"]; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104558 ["Bet Trang dam consists of the main dam on the north side of Highway 4 [...] and smaller dams south of National Highway 4"]; **D54/90** Kuy Nen WRI, A36 ["The construction of Bet Trang Dam [...] was completed mid-1977"]; **D54/91** Kuy Nen WRI, EN 01055511 ["[There was] [a]nother dam built northeast of National Road Number 4"]].
- 2607 **D54/89.1** Administrative Map of Prey Nob District, EN 00987086, KH 00987086; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125413; **D54/18** Nou Saroeun WRI, A22 ["[The dam] stretched across Pu Thoeung and Au Prai villages"]; **D114/16** Sok Vanna WRI, A31 ["Q: Did you ever hear about the construction of a big dam at Bet Treang or Pou Thoeung? A31: [...] I knew about the construction of Pou Thoeung Dam"]; **D114/109** Prum Sambath WRI, A191 ["The dam stretched from Bet Trang to Pou Te Village."]; **D114/156** Soeng Noch WRI, A188 ["I participated in building the dam at that worksite, from Bit Trang Pagoda to Ou Prai."].
- 2608 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125388 ["Witness KUY NEN identified [that] [...] [i]ncluded in the dam project were 2 dams namely Bet Trang or Pu Thoeun dam on the north side of the road"], EN 01125392 ["Bet Trang dam consists [among other things] of the main dam on the northeast side of highway 4 (Tomnob Pu Thoean Dam or Bet Trang dam)"], EN 01125411 ["The dam site was called Tomnob Pu Thoeang Dam or Tomnob Bet Trang Dam"]; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104558 ["Bet Trang dam consists [among other things] of the main dam on the north side of Highway 4 (Tomnob Pu Thoean Dam or Bet Trang Dam)"]; **D54/90** Kuy Nen WRI, A36 ["The construction of Bet Trang Dam or Pu Thoeang Dam was completed mid-1977"]; **D54/91** Kuy Nen WRI, EN 01055511 ["Another dam built northeast of National Road Number 4 is called Tomnob Pu Thoeang Dam or Tomnob Bet Trang Dam"]; **D114/139** Nguon Lay WRI, A101-102 ["there was a dam, but I never worked at that dam. [...] A102: That dam was called Put Thoeung Dam"]; **D114/243** Thork Sen WRI, A93 ["Q: Did you ever hear of Bet Trang Dam worksite? A93: Yes, I did. It was Pu Thoeang Dam."]; **D114/58** Som Saom WRI, A50 ["Q: Did you see Pou Thoeang Dam at that time? A50: Yes, I did. I saw it from a distance. It was being built."].
- 2609 **D54/18** Nou Saroeun WRI, A12 ["the Bet Trang Dam, known earlier as Tumnap Au Prai in Pu Thoeung Village"]; **D54/36** Brak Sokha WRI, A17 ["It was called Bobos/Aur Pray/Bet Trang dam"]; **D54/22** WRIA, EN 00947618 ["The witness clarified that the site was known at DK as O Brai dam located in Theoung village Ream commune. [...] Most of the population would refer to the dam by these two names Bet Trang/Bet Traing dam or O' Brai dam"]; **D114/240** Phin Venh WRI, A9 ["the Khmer Rouge sent me to build Ou Prai Dam"].
- 2610 **D54/36** Brak Sokha WRI, A17 ["We also built a dam in Bobos village. It was called Bobos/Aur Pray/Bet Trang dam"].
- 2611 **D114/39** Moul Chhin WRI, EN 01079212 ["The witness stated that he was forced to labour intensely to build a dam named Prek Chak. The witness stated that it was located behind Bet Trang Pagoda"]; **D114/40** Moul Chhin WRI, A19 ["Bet Trang Dam aka Preaek Chak"]; **D114/31** Moul Chhin WRI, A107 ["I worked at Preaek Chak, near Ream"]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125411 ["The witness identified the whole length of the dam as around 3km"]; **D114/54** Wat Enta Nhien Security Center and related sites Kampong Som - Koh Rong Samloem Island Site ID Report, EN 01074081 [map], EN 01074095 ["The witness immediately recognized this Bet Trang dam as the Praek Chak worksite"].
- 2612 **D54/90** Kuy Nen WRI, A36 ["There were two dams planned for construction [...] the other one south of National Road 4 was called Chamnaot Ream"]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125411 ["Southwest of National Highway 4 was a main dam which was called Tomnob Phum Chamnaot Ream Dam, aka Ream slope dam. The beginning of the dam was attached to National Highway 4. [...] The witness explained that the dam was around 2km long"]; **D54/91** Kuy Nen WRI, EN 01055511 [Witness worked at Babos Cooperative from April 1975 until 1979: "The witness showed us that Tomnob Chamnaot Ream Dam starts from National Road Number 4 and stretches for about two kilometres. Along this dam are channels at intervals of 500 metres. This dam is used to store water for irrigating the rice fields next to Kang Keng Airport east of the dam"].
- 2613 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125411 ["Southwest of National Highway 4 was a main dam which was called Tomnob Phum Chamnaot Ream Dam, aka Ream slope"], EN 01125413 [GPS map identifying "Ream Dam (Tomnob Phnum Chamnaot Ream)"].

- 2614 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125388-411 [“Ream slope dam on the south side of road 4 [...] Southwest of National Highway 4 was a main dam which was called Tomnob Phum Chamnaot Ream Dam, aka Ream slope”].
- 2615 *See, e.g.,* **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125392 [“The dam crosses a canal called Ou Prai dam”], EN 01125411 [“Bet Trang dam sites consist of several dams and canals on both sides of the Highway 4. [...] The Bet Trang dam sites consist of a system of 2 dams and several small dams and 7 canals along both sides of National Highway 4 [...] Every 400-500 meters a canal and a water gate were connected to the dam”], **D114/109** Prum Sambath WRI, A190 [“The dam crossed National Road 4, on both sides of which there were rice fields. They build the dam across the road in order to link the rice fields in one side to those on the other”]. *See also* **D114/6** Yin Teng WRI, A25, 48, 89 [“When I was living in Thma Thum Village, I was assigned to grow and was sometimes sent to dig canals in Pou Theoung Village [...] Q: In what village and commune was the canal you mentioned located? A48: It was located in Babos Village. [...] A89: I worked on Pou Theoung Dam”]; **D114/243** Thork Sen WRI, A93 [“The dam was built and the canal was dug downwards”]; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104558 [“The dam crosses a canal called Ou Prai dam”]; **D54/91** Kuy Nen WRI, EN 01055511 [“There is a bridge and concrete sluice gate along the dam called Ou Prai Canal. This bridge and concrete sluice gate was built by Khmer Rouge soldiers”]; **D114/54** Wat Enta Nhien Security Center and related sites Kampong Som - Koh Rong Samloem Island Site ID Report, EN 01074099 [picture of concrete sluice gate].
- 2616 **D54/91** Kuy Nen WRI, EN 01055511 [“This dam is used to store water for irrigating the rice fields next to Kang Keng Airport east of the dam”]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125411 [“The western side of the dam was meant to be the water reservoir; while on the eastern side the rice fields were irrigated”]. *See also* **D54/18** Nou Saroeun WRI, A21 [“They said that the dam was to store water for dry season rice; but dry rice still could not be grown because the dam stored too little water”].
- 2617 **D114/109** Prum Sambath WRI, A192 [“The length was approximately three or four kilometres”]; **D54/91** Kuy Nen WRI, EN 01055511 [“The witness pointed out for us that this dam is about 3 kilometres long”]; **D114/240** Phin Venh WRI, A16 [“This dam was two kilometres long”]. *See also* **D54/18** Nou Saroeun WRI, A22 [“Q: How big was the dam? A22: It was about 1km long”]; **D114/54** Wat Enta Nhien Security Center and related sites Kampong Som - Koh Rong Samloem Island Site ID Report, EN 01074096 [the northern portion “has a length of more or less 1.4 to 1.7 km”].
- 2618 **D114/40** Moul Chhin WRI, A29 [“I just knew the bottom of the dam was about 25 metres in width and top of the dam was about 10 metres wide”].
- 2619 **D114/53** Uk Sok WRI, A216-217 [“Q: So was the rice field that you went to transplant seedlings near Kang Keng airport? A216: Yes, it covered hundreds of hectares of land on both sides of the national road. Q: What was its location in relation to the airport? A217: It was next to and around the airport”]; **D54/36** Brak Sokha (messenger of Battalion 430 sent to work in Kang Keng in 1976) WRI, A17 [“My mobile unit also worked on the southern side of national road number 4. We worked in the vicinity of Kang Keng air field”]. *See also* **D114/19.2** Mak Chhoeun WRI, Annex: Map of Islands, KH 01034015; **D114/57** Som Soam WRI, A5 [“Then, in 1977 or 1978, I was made to grow rice in Kang Keng for a fortnight”]; **D2/9** Say Born WRI, A5 [“I stayed there [at the airfield] to help the peasants doing rice farming”]; **D54/35** Brak Sokha WRI, A17 [“my mobile unit was sent from Preaek Chak to the Kang Keng area [...] There, we were ordered to cultivate rice”]; **D114/79** Kang Sum WRI, A276-277 [“Q: From your workplace could you see Kang Keng Airport and the rice fields? A276: Yes, I could. They were nearby. Q: Can you tell us what you saw at Kang Keng? A277: I saw people and soldiers growing rice”]; **D54/81.2** Hing Uch (member of Regiments 61 and 62, Division 164 stationed in Kang Keng Airfield in 1976) DC-Cam Statement, EN 01001396 [“Q: Where did you go in July [19]76? A: I was sent to stay at the Kang Keng airfield. Q: Why were you sent to that place? A: I went to help with the rice farming works”].
- 2620 **D114/40** Moul Chhin WRI, A13, 18-19 [“I knew about this because I always travelled across the pagoda compound in order to go to work at Preaek Chak Worksite [...] A18: I knew about this because I travelled past that pagoda while on National Road 4 from Kampong Som to Ream many times. This pagoda was located close to the national road, and I could see them doing something there from where I was. Q: You said Preaek Chak Worksite was located nearby Wat Bet Trang Pagoda, and you always passed close to the pagoda when you went to work at the worksite [...] Is that correct? A19: Yes, it is”]; **D114/39** Moul Chhin WRI, EN 01079212 [The witness is describing the location of Bet Trang dam where he used to work, “the witness stated that it was located behind Bet Trang Pagoda because he used to pass by the pagoda when [he] walked

- to the dam worksite during the Khmer Rouge regime”]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125392 [“Bet Trang pagoda is located along highway 4 but to the north”].
- 2621 **D54/91** Kuy Nen WRI, A3 [“The Khmer Rouge soldiers destroyed the entire temple in Wat Bet Trang Pagoda to get the iron needed to build this bridge. That story is true. I am not exaggerating”]; **D54/19** Nou Saroeun WRI, A3 [“I heard from the older people that the Khmer Rouge soldiers had completely demolished the temple in the pagoda and taken the iron for use in dam construction [...] After the Khmer Rouge regime collapsed, I went to see that pagoda and saw that the temple had actually been demolished”]; **D54/18** Nou Saroeun WRI, A12 [“The Khmer Rouge settled in Pu Thoeung Village after 1975. In Bet Trang/Pu Thoeung Village, the Khmer Rouge destroyed a pagoda by taking its iron to build bridges and floodgates at what is called the Bet Trang Dam”].
- 2622 **D54/123** Lak Saphan WRI, A3 [“There was another occasion when we were called to attend a meeting at Bet Traing Pagoda, where they told us that Khmer Rouge soldiers had captured the Mayaguez, an American ship”].
- 2623 **D54/122** Lak Saphan WRI, A6 [The coconut plantation was named after Cheng Heng, the Minister of Agriculture during the Sangkum Reastr Niyum regime].
- 2624 **D54/36** Brak Sokha WRI, A21 [“Q: Have you heard of a durian farm/orange farm and coconut farm near Kang Keng airfield? A21: I’ve only heard of a coconut farm which was called Cheng Heng coconut farm as I worked nearby that farm. The farm was at the further end of the air field”]; **D114/156** Soeng Noch WRI, A57-60, 281-282 [“Q: Where was your platoon office? A57: At Ream Coconut Plantation. Q: Was the Ream Coconut Plantation the office of the platoon or the battalion? A58: It belonged to Battalion 580. Q: Where was the coconut plantation? A59: The coconut plantation stretched from Ong Village to Kang Keng Airport. Q: Was that coconut plantation located close to the water or forest? A60: It was close to the sea. It was bordered to the west by the sea, to north by the mountain, and to east by the airport [...]Q: Did you ever hear of Cheng Heng? A281: I used to live in Cheng Heng Coconut Plantation. Q: Was Cheng Heng a name of a coconut plantation or did it refer to the name of all the plantations? A282: Cheng Heng referred to one coconut plantation only”]. *See also* **D114/239** Sao Men WRI, A29 [“They worked at Cheng Heng’s coconut plantations in Ong Village”]; **D54/102** Ek Ni WRI, A29 [“The coconut plantation of Cheng Heng located between the end of the Kang Keng airfield and the mountain”]; **D2/17** In Saroeun WRI, A9 [“the coconut plantation at that time was not far from the Durian plantation”]; **D114/156.1** Soeng Noch WRI, Annex: Sketch of Places, 25 Jan 2016, EN 01197078; **D54/41** Or Saran (soldier in Division 164 sent to Kang Keng Airport in 1975) WRI, A19 [“My battalion was stationed at a coconut plantation in Cheng Heng and near Kang Keng airport”]; **D54/98** Heang Ret WRI, A118 [“Q: You said that you knew of Chamkar Doung. Where was Chamkar Doung [Coconut Plantation]? A118: In fact, I heard that Chamkar Doung was in Kang Keng”].
- 2625 **D114/117** Nav Sokhan WRI, A90 [“There were only coconut trees and acacia decora trees there. The farm was 10 kilometres square. We could not walk around the farm, in spite of spending the whole morning there”].
- 2626 **D54/102** Ek Ni WRI, A33 [“The orange farm was next to the durian plantation. When you go to see the durian plantation, you will also see the orange farm because it locates next to each other”]. *See also* **D114/58** Som Saom WRI, A44-45, 47 [“I want to tell you that I’ve just recalled the person by the name of San Seab, alias Sam, you just showed me. Now, I remember who he was. I called him Brother. He was the Commander of the Battalion at Chamkar Krauch (the Orange Plantation), at Kang Keng. Q: Where was Chamkar Krouch? A45: It was at Ream. If we travel along National Road 4 from Phnom Penh to Kampong Som, passing Kang Keng Airport, when we reach Wat Bet Trang Pagoda, we turn left then we will get to that place. The place was about three kilometres from National Road 4 [...] Q: Do you know that Chamkar Thuren (the Durian Plantation) was near Chamkar Krauch? A47: There was Chamkar Thuren near Chamkar Krauch”]; **D54/26** Pak Sok (member of the Navy in Division 164 from 1975 to 1977, messenger and bodyguard for Meas muth working at a paddy field near durian, coconut and orange plantations for two months) WRI, A13 [“The durian, coconut, and orange plantations were near one another”]; **D54/26.1** Pak Sok WRI, Annex: Administrative Map of Stung Hav, EN 00955542.
- 2627 *See, e.g.,* **D114/58** Som Saom WRI, A47 [“Q: Do you know that Chamkar Thuren (the Durian Plantation) was near Chamkar Krauch? A47: There was Chamkar Thuren near Chamkar Krauch”]; **D54/102** Ek Ni WRI, A29 [“The coconut plantation of Cheng Heng located between the end of the Kang Keng airfield and the mountain. West of the coconut plantation, at the foot of the mountain, was the location of the durian plantation where Ta Muth had taken the Thai people to kill and then buried the dead bodies under the durian

- trees as the fertilizer”]; **D54/26** Pak Sok WRI, A13 [“The durian, coconut, and orange plantations were near one another”]; **D54/26.1** Pak Sok WRI, Annex: Administrative Map of Stung Hav, EN 00955542.
- 2628 **D114/94** Sam Vuthy WRI, A74 [“Q: Where was the tile-making place? A74: It was near Smach Daeng, on the road halfway between Daeng to Ream. It was called the Heng Cheng coconut plantation, Chamkar Doung Heng Cheng”]; **D114/54** Wat Enta Nhien Security Center and related sites Kampong Som - Koh Rong Samloem Island Site ID Report, EN 01074085 [“The brick kiln factory was located next to Kang Keng airfield”], EN 01074111-13; **D54/17** Say Born WRI, A14 [“[The brick kiln near Kang Keng Airport] was a Division 164 labour site. I went there once in late 1975.”]; **D114/53** Uk Sok WRI, A246 [“the kiln was along the national road from the airport to Chamkar Doung”]; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104557. *See also* **D54/45** Lon Seng WRI, A27 [“Thma Thum Village where I used to live in. It was near a brick kiln”]; **D54/45.2** Lon Seng WRI, Annex: Map, EN 00967555 [“location where I used to stay”].
- 2629 **D54/17** Say Born WRI, A14, 18 [“It was a Division 164 labour site. Although I cannot determine the exact number of labourers there [brick kiln], I estimate there were more than 100 labourers [...] A18: The bricks and tiles were manufactured by Division 164 for constructing dams and floodgates, and for Angkar’s other construction projects”].
- 2630 **D114/79** Kang Sum WRI, A166, 230 [“I remained in the Navy, but I was transferred to a quarry to break seven cubic metres stone of per day in Au Mlou, near the Cheng Heng Coconut Plantation. [...] In 1976 what happened to you? A230: I was in Au Mlou in the vicinity of Kang Keng Airport”]; **D114/77** Svay Sameth WRI, A2 [“I farmed rice at Au Mlou Sector, which was close to Ream Sector and Kang Keng Airport”]. *See also* **D114/77.3** Svay Sameth WRI, Annex: Sketch of Places, 27 May 2015, EN 01517435; **D114/77.2** Svay Sameth WRI, Annex: Administrative Map of Sihanouk Vill Province, 27 May 2015, KH 01101729.
- 2631 **D114/79** Kang Sum WRI, A272-273 [“The rocks were used to build a port in Steung Hav. Q: Why did you know that? A273: Because Ta Nhan said so when he came to the worksite”].
- 2632 **D114/86** Chet Bunna WRI, A14 [“I also noticed that there were many cooperatives in the vicinity, and the main work was farming”].
- 2633 **D54/90** Kuy Nen (placed in Babos Cooperative from 1975-1979 and assigned to work at Bet Trang Dam) WRI, A2 [“Babos Cooperative and Pu Thoeung Cooperative were here, and there were thousands of people in these two cooperative including family members of the soldiers”]; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970702 [discussing Put Thoeung cooperative]; **D114/156** Soeng Noch WRI, A24 [“I can remember four cooperatives: Prabos, Putthoeun, Smach Daen and other cooperatives”]; **D114/94** Sam Vuthy WRI, A62 [The witness had earlier described how the cooperative of which he was a member, Put Thoeung Cooperative, was the only cooperative in Smach Daeng Village. “Q: How many people were there in your cooperative? A62: More than 30 people”]; **D114/53** Uk Sok WRI, A111 [“Q: How large was that cooperative? A111: It was not large; there were only about twenty to thirty children and more than ten adolescents and young adults”].
- 2634 **D54/90** Kuy Nen WRI, A2 [“Babos Cooperative and Pu Thoeung Cooperative were here, and there were thousands of people in these two cooperative including family members of the soldiers”]; **D114/156** Soeng Noch WRI, A24 [“I can remember four cooperatives: Prabos, Putthoeun, Smach Daen and other cooperatives”].
- 2635 **D54/18** Nou Saroeun WRI, A10-11 [“When my family arrived at Song Village, they put my parents in Koki Village Cooperative. [...] Q: In which commune was the cooperative that your parents worked? A11: That cooperative was located in Ream Commune, which is now Bet Trang Commune. Initially it was called Tumnap Au Prai in Pu Thoeung Village, Ream Commune, not Bet Trang Commune”]; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168; **D114/6** Yin Teng WRI, A158 [“Q: During your stay in Kokir Village with your cousin Heng, did they assign you work? A158: They had me carry earth to build dams and had me thresh rice”]; **D54/118** Prom Kem WRI, A2-3 [“[T]he village was called Kokir and had not yet changed to Chamnaot Ream [...] A3: After the Khmer Rouge had taken control of the country, I continued to live in Kokir/Chamnaot Ream Village”].
- 2636 **D114/156** Soeng Noch WRI, A24, 148, 150 [“I can remember four cooperatives: Prabos, Putthoeun, Smach Daen and other cooperatives [...] A148: They [parents] lived at Smach Daeng. [...] Q: In what cooperative did your parents work? A150: They worked just like the others. They ate rice with the people from the cooperative”]; **D54/122** Lak Saphan WRI, A5 [“When the Khmer Rouge first arrived [...] My family and other families were evacuated from the village by walking to Smach Daeng, where we were assigned to work and where we are having this interview now”]. *See also* **D54/123** Lak Saphan WRI, A7 [“About two or three

months after we were evacuated to Smach Daeng Village, about 50 to 60 lorries of people from Ream Commune were sent to Srae Ambel. To my knowledge, they evacuated all the people from this village to have soldiers live here. They sent us to Srae Ambel in early 1976”; **D114/6** Yin Teng WRI, A40 [“After my elder cousin’s husband and I were taken away, we cried. They saw us crying and punished us by having us stamp 8000 pieces of clay per day in Smach Daeng Village”]; **D114/53** Uk Sok WRI, A185-187 [“Q: What was the name of the cooperative? A185: Smach Daeng cooperative. Q: What did the cooperative workers do? A186: They farmed seasonal rice. Q: What did they do in the non-growing season? A187: Some worked in the rice mill, while others transported milled rice and distributed it to the cooperatives”]; **D114/69** Kuy Sambath WRI, A1 [“On 18 April [...] My relatives and I left Kampong Som Province in an ox-cart. We arrived at Smach Daeng Village where I stayed with my family.”]; **D114/65** Chet Bunna WRI, A16 [“At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Ba-bos. After that they sent me to tend the water buffalos and plow rice paddy. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav”]; **D114/109** Prum Sambath WRI, A79, 101, 136, 172, 188-190 [“They were assigned to work in farming in Smach Daeng [...] A101: They ordered me to farm rice in Smach Daeng [...] A136: All of us did farming at Smach Daeng [...] Q: Were the workers in Kang Keng, Bet Trang and Smach Daeng the same people? A172: Yes, they were. All of them worked at the rice fields in these areas. [...] A188: All of us worked in farming, and we grew sweet potatoes. Q: Did you see them build the dam? A189: Yes, I did. Q: Do you remember where it was? A190: The dam crossed National Road 4, on both sides of which there were rice fields. They built the dam across the road in order to link the rice fields in one side to those on the other. My unit were also assigned to build the dam”]; **D114/83** Sok Neang WRI, A8 [“From 1976, we were ordered to stay in the middle of the paddy fields in Smach Daeng. We were tasked with transplanting and harvesting rice there for nearly two years. In late 1977, we were sent to Stung Hav.”]. *See also* **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“There were two co-operatives at Ream, for the wives and children of the soldiers and workers. They did farming at Smach Deng under the supervision of Ta Nget, who was a regiment commander”]; **D114/53** Uk Sok WRI, A188-189 [“There were fifty or sixty families, or households [at Smach Daeng Cooperative]. [...] A189: They were families of the military”]; **D114/202** Ou Sarann WRI, A29 [“I went to transplant rice seedlings at Smach Daeng, situated in the Northeast Zone”]. *Contra* **D114/202** Ou Sarann WRI, A36 [“At Smach Daeng, there were only the houses of soldiers’ families. There were no worksites. The houses were built for the soldiers’ wives to stay in. The soldiers could visit or approach the houses when they were given visiting days. They could not visit as they wished. When it was time for them to visit they could do so”].

2637 **D54/90** Kuy Nen WRI, A2 [“Babos Cooperative and Pu Thoeung Cooperative were here, and there were thousands of people in these two cooperative including family members of the soldiers”].

2638 **D54/119** Prom Ken WRI, A6.

2639 **D114/83** Sok Neang WRI, A24 [“I forgot to tell you that there was one more Company under Battalion 167. It was Company 31, whose commander was Pheap (female). What was special about this company was that it was divided into small units and they were sent to live with civilians in the communes and villages, such as Thma Thorn Village, Korky, Pou Thoeung and Smach Daeng to lead people to work”]; **D114/79** Kang Sum WRI, A281 [“They lived in Kampong Pork, Put Thoeung, Wat Ream Pagoda and another village south of Wat Ream. The people and soldiers lived together”].

2640 **D114/6** Yin Teng WRI, A23 [“I was sent to live in Thma Thurn Village, where I was allowed to choose a hut located at the foot of a mountain. There was only a bed in the hut. We were assigned to grow crops and vegetables because there was nothing to eat there”].

2641 *See, e.g.,* **D114/109** Prum Sambath WRI, A78, 112, 149 [“It was before I was sent to land on 7 July, 1977. At that time, they disarmed the soldiers in Sector 37. [...] Q: Did they send you from Koh Tang Island to Smach Daeng in July 1977? A112: Yes, they did. [...] Q: How long did you live in Smach Daeng? A149: I lived there until the Vietnamese troops arrived”]; **D114/135** Nub Phorn WRI, A23 [“I farmed rice there until the war broke out and the Vietnamese entered”]; **D2/9** Say Born WRI, A5, 9 [“Q: Beside helping the peasants and protecting the Airfield, what else did you do until the end of [19]75? A5: At that time I did not move to anywhere else. I stayed there to help the peasants doing rice farming. At Kang Keng Airfield, I am not sure what year it was, but it did not yet pass [19]75, it might be in the end of 75 there were American aircrafts bombing the Kang Keng Airfield, the marine base in Ream, and the Kampong Som Port. [...] A9: I did not recall the exact date, but it might happen in early 1976 or late 1975 when they started to organize the marine forces. At that time I was recruited to take the training”]; **D114/57** Som Soam WRI, A5 [Witness was a

soldier of Division 164 who was sent to work at a rice field near Kang Keng “Then, in 1977 or 1978, I was made to grow rice in Kang Keng for a fortnight”; **D114/89** Seng Sin WRI, A72, 76 “[the production unit] was based about three kilometres from the meeting place at Kang Keng Airport [...] A76: I had remained there until the Vietnamese troops arrived”; **D114/86** Chet Bunna (soldier in Division 3/164 sent to work at Kang Keng in 1977) WRI, A15 “[I worked there [Kang Keng Airfield] between July 1977 and September 1978”]; **D54/105** Ek Ni (soldier in Battalion 386 sent to Kang Keng Airport in 1977) WRI, A17 “[I worked Kang Keng until mid-1978”]; **D114/121** Suon Phar WRI, A22 “[I remember that all of Unit 86 was disarmed [...] That happened in July 1977. On the day they disbanded us, they gave each of us one hoe before they sent us to work around Kang Keng Airport”]; **D2/6** Nhoung Chrong (soldier in Division 164 stationed at Kang Keng Airport immediately after April 1975 and returned to the area in 1977) WRI, A15 “[After I came from Phnom Penh [after 17 April 1975], they first had me stay in the Kang Keng Airfield”]; **D114/79** Kang Sum (soldier in Division 164 who worked in the vicinity of Kang Keng Airport from late 1975 until mid-1976) WRI, A230 “[I was in Au Mlou in the vicinity of Kang Keng Airport. I was there from mid- 1975 to 1978”]; **D114/285** Bun Sarath WRI, A8, 13 “[Q: On the liberation day, 17 April 1975, where were you? A8: On the liberation day 17 April 1975, I was at the battlefield located to the west of Phnom Penh. [...] Q: You departed on the 18th and spent three days travelling so you arrived in Kampong Som on the 22nd. Is that correct? A13: Yes, it is. I think so. I arrived on that day, around the 21st. I arrived there, and the regiment commander assigned us to be stationed at Kang Keng Airport”]; **D114/156** Soeng Noch WRI, A2-4, 6, 12-13, 124 “[After the liberation in 1975, I went to Preah Sihanouk. I stayed at Kang Keng Airport [...] Q: When did they liberate Phnom Penh? A3: In 1975. Q: When was it again? A4: 17 April 1975. [...] Q: For how many days after the liberation of Phnom Penh were you sent there? A6: About a week. They started to evacuate people to the countryside. [...] Q: You told me that you went to Kang Keng Airport but where exactly did you stay? A12: I went to Ream Village, Ream Commune, Preay Nob District, Kampot Province; it was adjacent to Kang Keng Airport. Q: For how long did you stay there? A13: I lived there for about two months. Then, they separated me from my parents. They put me into a children’s unit [...] Q: For how long did you stay in Kang Keng Airport? A124: From 1975 to 1978”]; **D54/106.2** Sann Kan alias Buth DC-Cam Statement, EN 01509150-51 “[After that, in 75, I left Doh Kanhchor to attack [...] We went to Kang Keng to guard the Kang Keng Airfield on 18, 19 and 20 [April]. We came to Kang Keng-Ream to guard the aircrafts”]; **D114/243** Thork Sen WRI, A10 “[In 1976, I was taken to the coconut plantation”]; **D114/76** Svay Sameth WRI, A21 “[I performed these tasks until late 1976, when, along with other members of Company 41, were ordered to Koh Tang Island. On Koh Tang Island, there were soldiers from various units. I was stationed on the island for over two months. After which I, alone, was ordered to Kang Keng where I did farming. [...] I had worked there until 1977 before I was ordered to Koh Poulowai Island. So far as I remember that was in late 1977”]; **D114/244** In Yoeu WRI, A22 “[I worked there until 1979”]; **D114/83** Sok Neang WRI, A8 “[From 1976, we were ordered to stay in the middle of the paddy fields in Smach Daeng. We were tasked with transplanting and harvesting rice there for nearly two years. In late 1977, we were sent to Stung Hav”]; **D114/53** Uk Sok WRI, A184, 261-262, 267, 332 “[Q: What did you do in 1978? A184: I worked in the women’s unit in Smach Daeng Village near Kang Keng airport [...] Q: In 1977, did you stay at Pu Thoeung Village? A261: No, I stayed at Smach Daeng. Q: Were you at Smach Daeng cooperative? [...] A262: Yes, I was. [...] Q: In October 1978, were you at the children’s unit or in the hospital? A267: At that time, I was in Smach Daeng cooperative near Kang Keng airport. [...] Q: Three months after you married, did you continue staying at Smach Daeng? A332: Yes, I continue staying there until we fled to the Thai border on 7 January 1979”]; **D114/69** Kuy Sambath WRI, A1 “[On 18 April [speaking about the year 1975] [...] My relatives and I left Kampong Som Province in an ox-cart. We arrived at Smach Daeng Village where I stayed with my family. My other relatives and a number of other people went on their journey towards the east. The reason we stopped to stay at Smach Daeng Village was because my mother was over 70 years old and too old to go on the journey. My family members and father-in-law were assigned to raise ducks in the sector”]; **D114/65** Chet Bunna WRI, A16 “[At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Ba-bos. After that they sent me to tend the water buffalos and plow rice paddy. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav”]. *See also* **D2/7** Pen Sarin WRI, A3 “[As for some other people, they were sent to the work sites in Smach Deng and Veal Rinh. This took place around May or June 1975”]; **D114/94** Sam Vuthy WRI, A79 “[Q: Until when did you work at the tile-making place? A79: Until the Vietnamese arrived”].

- 2642 **D54/90** Kuy Nen WRI, A35-36 ["Construction of Bet Trang Dam began around June or July of 1975 in the early part of the rainy season. Q: When was the Bet Trang Dam project completed? A36: The construction of Bet Trang Dam or Pu Thoeang was completed mid-1977"]; **D54/35** Brak Sokha WRI, A17 ["There, we were ordered to cultivate rice and raise dams until the end of 1977"]; **D114/96** Cheng Laung WRI, A73 ["Q: Was the building of the dam completed in 1977, when you left Babos Village? A73: Yes, it was"]. *See also* **D114/58** Som Saom WRI, A50 ["Q: Did you see Pou Thoeang Dam at that time? A50: Yes, I did. I saw it from a distance. It was being built"]; **D54/19** Nou Saroeun WRI, A2 ["I cannot say when did it started or finished exactly, but as I told you yesterday, it took only one dry season to finish the construction"].
- 2643 **D114/109** Prum Sambath WRI, A199 ["Q: Did you build the dam until the Vietnamese troops arrived? A199: Yes, I did"]; **D2/6** Nhoung Chrong (member in group 3, platoon 3, company 22, Battalion 550, Regiment 22, Division 3) WRI, A24, 25, 27 ["The Regiment 22 initiated the dam construction project [...] A25: It was under Division 164 [...] A27: This dam project started in 1977"].
- 2644 **D54/118** Prom Kem WRI, EN 01066680 ["But you learned heard from the people that the Khmer Rouge buried bodies around durian trees as fertilizer in a place called Chamkar Thuren (durian orchard)"].
- 2645 **D54/91** Kuy Nen WRI, EN 01055510 ["Both durian orchards are located along the base of a mountain northwest of **Kang Keng Airport**"]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125387 ["Both Durian plantations are located in close proximity to each other around 3.5 km on different sides along the slopes of a hill chain north of Kang Keng airfield"].
- 2646 **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104551 ["The Durian I site is located in Prey Nap District, next to the Kang Keng Airfield. [...] The **Durian I** site is in close proximity to the Durian II site that was also an execution and grave site during DK time"]; **D54/91** Kuy Nen WRI, EN 01055510 ["Both durian orchards are located along the base of a mountain northwest of Kang Keng Airport. The first point is southeast of the mountain range, and the second point is northwest of the Phnom Penh range"]; **D54/89.1** Kuy Nen WRI, Annex: Administrative Map of Prey Nob District, 3 May 2014, KH-EN 00987086; **D54/102** Ek Ni WRI, A29 ["West of the coconut plantation, at the foot of the mountain, was the location of the durian plantation"]; **D54/18** Nou Saroeun WRI, A33 ["Q: Can you tell me something about a durian orchard near the seaside and the coconut field? A33: I knew that it was a site where the Khmer Rouge military took people to kill them"]; **D114/156** Soeng Noch WRI, A264 ["Q: Was there any durian plantation close to the orange plantation? A264: There was a durian plantation to the east of the coconut plantation, close to the foot of the mountain, on the entryway to Ream"]; **D114/243** Thork Sen WRI, A76-77 ["Q: Was there a durian plantation at that time? A76: It was by the seaside. Q: How far was the durian plantation from the coconut plantation? A77: About one kilometer"].
- 2647 **D54/90** Kuy Nen WRI, A35 ["That plantation covered an area of about 500 hectares"].
- 2648 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125387, fn. 4; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104551 ["Several witnesses referred to this site as the site of the former owner. That is, 'the Durian plantation of 'Cheng Heng'"].
- 2649 **D114/2** Lak Saphan WRI, A1 ["On the left-hand side of the road was Doctor Soth Chamreun's coconut plantation. (I cannot confirm if this is the true name of this doctor.) Next to the coconut plantation was a canal. On the other side of the canal was Cheng Heng's coconut plantation"]; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104565, 01104567, 01104570, 01104582. *See also* **D54/113** Leang Bea WRI, A75 ["I used to travel to Ream and saw the coconut plan[t]ation close to the road"]; **D54/120** Prom Kem WRI, A8 ["During the Khmer Rouge era there was a coconut plantation south of Durian Plantation"]; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168; **D114/109** Prum Sambath WRI, A253 ["The durian plantation was near a coconut plantation"]; **D114/243** Thork Sen WRI, A77 ["Q: How far was the durian plantation from the coconut plantation? A77: About one kilometre"]; **D114/117.1** Nav Sokhan WRI Annex: Sketch of places, EN 01138918.
- 2650 **D54/26** Pak Sok WRI, A13 ["The durian, coconut, and orange plantations were near one another"]; **D54/120** Prom Kem WRI, A11 ["There was another Khmer Rouge house before arriving at the Durian Plantation along a trail descending from National Highway 4 near an orange plantation where there were two or three Khmer Rouge military houses"]; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168; **D54/91** Kuy Nen WRI, EN 01055510 ["The witness said that this first site was the location of durian, pepper, and orange orchards"]; **D114/58** Som Saom WRI, A47 ["There was Chamkar Thuren near Chamkar Krauch"]; **D114/139** Nguon Lay WRI, A51 ["There was another durian plantation located near a coconut plantation and an orange plantation"]; **D114/179** Snguon Chhum WRI, A20-22 ["The orange plantations were

located southwest of National Road 4, below the Bet Traing commune office. [...] A22: [...] you travel along the foot of the hill towards the sea”].

2651 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125387 [“One location hereafter referred to as Durian Planation I was identified by other witnesses as an execution site for foreign fishermen. The site is located next to the beach at the side of the hill chain facing Kang Keng airfield. It is easily accessible from the beach”]. *See also* **D114/2** Lak Saphan WRI, A2 [“The durian plantation was on the right-hand side and near the foot of the mountain, and it stretched to the seashore”].

2652 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125387 [“Durian Planation I was identified by other witnesses as an execution site for foreign fishermen”]. *See also* **D114/109** Prum Sambath WRI, A254 [“It was [...] next to the beach”]; **VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea.**

2653 **D54/120** Prom Kem WRI, A4, 7 [“That boat was brought to be moored at Moat Peam and the Thai fisherman were taken off the boat sent ashore and stripped of their clothing leaving them only in their undershorts. Their arms were tied with hammock string into lines and they were taken to the Durian Plantation. [...] A7: Moat Peam Dock was between Ream Commune and Bet Traing Commune along the beach west of Kang Keng airfield. [...] Moat Peam was the location of the dock where the Thai fishing boat was moored, according to what the villagers said”]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125389; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168.

2654 **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104556.

2655 **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104556; **D54/120** Prom Kem WRI, A11 [“The road entering the Durian Plantation was controlled by two Khmer Rouge military checkpoints/houses. On both sides of the stream there were Khmer Rouge military checkpoints/houses. There was another Khmer Rouge house before arriving at the Durian Plantation along a trail descending from National Highway 4 near an orange plantation where there were two or three Khmer Rouge military houses”]; **D54/91** Kuy Nen WRI, EN 01055510 [“The first durian orchard that the investigation team of the ECCC showed the witness is a durian orchard in Stoung Village southeast of the mountain range [...] The witness said that during the Khmer Rouge era this site was a base where Khmer Rouge soldiers stayed, and no one was permitted to enter the site at that time”]; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168.

2656 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125387-90; **D54/90** Kuy Nen WRI, EN 01056726 [“Q: Was the durian plantation at Ou Trav the place near Kang Keng airport you marked on the map? A: Yes”]; **D54/91** Kuy Nen WRI, EN 01055510 [“Both durian orchards are located along the base of a mountain northwest of Kang Keng Airport [...] The witness explained that Ou Trav durian orchard was on the other side of the mountain, and then he led the investigation team there”]; **D114/25** Ou Dav WRI, A31 [“The killing sites which those soldiers told me about included Ou Trav”].

2657 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125389-90; **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104560 [“Based on the repeated identification by multiple witnesses **there** is no doubt that the location of the former Durian plantation has been established”]; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168.

2658 **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125387.

2659 **D54/90** Kuy Nen WRI, A21-22 [“Q: Were the pits you saw at the durian plantation at Ou Trav mass graves, individual graves, or a mix of both? A21: There were pits surrounding each durian tree, and there was one body or more in each pit. Q: Could you estimate how many pits with bodies were at that place? A22: I could see pits **everywhere**. The land area there was 100 metres wide and about 200 metres long with durian trees, orange trees, and *Champa Dak* trees. One side of that place was bordered by a mountain and another side was bordered by a ditch” (*emphasis added*)]. *See also* **D54/22** WRIA, EN 00947619 [describing near identity of killing site indicated by two witnesses].

2660 **D54/91** Kuy Nen WRI, EN 01055510 [“The witness explained that Ou Trav durian orchard was on the other side of the mountain, and then he led the investigation team there. At that site the witness showed us an ammunition warehouse of the Khmer Rouge army and the site where he saw many bones and mass graves”]; **D54/90** Kuy Nen WRI, A20 [The witness describes how he returned to Bet Trang village in 1979 when the regime had ended. He then went to Ou Trav durian plantation where he describes what he saw, “[a]n ammunition storage depot nearby had been burned down. I saw some boxes with unexploded bullets remaining inside”]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125388.

- 2661 **D114/1** Ung Chanthea WRI, A26-29 ["I went to herd cows and cut the tuntrean khaet plants nearby, about 100 metres away from that place. They surrounded that place with thorn bamboo, and there were also guards. I was chased away because they did not let us go near that place. Q: Did the guards at Chamkar Thuren have guns? A27: They did. [...] A28: I saw five or six soldiers guarding at each corner around Chamkar Thuren"].
- 2662 **D54/22** WRIA, EN 00947623 ["He knows this place also under the name 'C.I. 5' (aka French Centre d'Instruction)"].
- 2663 **D114/4** Mom Meng WRI, A25 ["Q: Did you ever hear that C.I. had been a burial place? A25: No. I did not hear that. Previously it was a military base called C.I. 5"]; **D54/119** Prom Kem WRI, A3 ["CI, also known as the CI5 camp"]; **D114/179** Sngoun Chhum WRI, A62 ["I know that it was a killing site because dead bodies were buried there. In the past, that place was not a burial site"].
- 2664 *See, e.g., D54/22* WRIA, EN 00947623.
- 2665 **D54/89.1** Administrative Map of Prey Nob District, EN 00987086, KH 00987086; **D114/40** Moul Chhin WRI, A33 ["Q: You talked about the C.I. site located between Bet Trang and Kampong Som. You showed us and told us the location of the former C.I. training camp. You said that you knew that location because it was a training camp during the Lon Nol regime. You did not know exactly what happened there during the Khmer Rouge regime. Is that correct? A33: Yes, it is"]; **D114/4** Mom Meng WRI, A19 ["Q: When you showed us those places in August 2013, you showed us graves north of National Road 4. Can you give us more details about that place? A19: The location was C.I., the site of about 100 graves back then; but now that place is an acacia tree farm"]; **D114/179** Sngoun Chhum WRI, A60-61 ["Q: What do you know about a place called CI? [...] A61: If we look north of the road, it is around 100 metres from there"]; **D114/282** Ek Ny (Ni) WRI, A24 ["I know that place very well. That place was called C.I. Slope. The place up the slope from Kokir Village was called C.I. Slope"]; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970703 ["Koki village [...] was on the side of Road 4 down the Slope from the CI [former Training Center]"]; **D54/119** Prom Kem WRI, A3 ["C.I., also known as the C.I.5 camp, was a Lon Nol military training site where more than tens of thousands of soldiers conducted their military exercises instructed by American military trainers"]; **D114/68** Kuy Sambath WRI, A8 ["When I was a Lon Nol soldier, they sent me to a training session at C.I. 5 near Bet Trang"]; **D54/22** WRIA, EN 00947623; **D54/35** Brak Sokha WRI, A12 ["There were longhouses left over from the Lon Nol army there [at C.I.]"]. *See also D54/47* Em Sun WRI, A3 ["Q: Can you describe what you saw when you travelled past CI Barrack? A3: Based on my rough estimation, around 500 Lon Nol soldiers were inside the barracks. I did not know whether they were in one battalion or were under any other military units"]; **D54/113** Leang Bea WRI, A110 ["Q: What does 'CI' mean? Please explain? A110: The CI was located at the Ream slope. It refers to the former CI factory there, but I do not know what this factory produced"]; **D114/54** Wat Enta Nhien Security Center and related sites Kampong Som – Koh Rong Samloem Island Site ID Report, EN 01074095 [Image of Bet Trang Dam location].
- 2666 **D54/35** Brak Sokha WRI, A10-13 ["I was with Battalion 430. I was a messenger for the battalion commander. The battalion commander at that time was Brother Bau [...] A11: After the collapse of Phnom Penh, Bau remained commander of Battalion 430. The battalion was stationed on a slope called CI, between Ream and Kang Keng Airport [...] A12: Battalion 430 had its headquarters in the CI area [...] A13: Battalion 430 was under Regiment 13 of Division 3. The numerical designation of Division three had not yet been changed"]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974172 ["some forces of Regiment 15 were stationed in the vicinity of that slope and C.I Slope"]; **D114/65** Chet Bunna WRI, A16 ["On 23 April 1975, my unit arrived at a place called C.I. 5 which was near the Ream slope. My unit had stationed there until September 1975 before we were sent on to the Ream Base"]. *See also D54/47* Em Sun WRI, A4 ["When I travelled past CI Barracks, those soldiers [Lon Nol] had already laid down their weapons because they had learnt about the fall of Phnom Penh. [...] At that time, those soldiers were not arrested. As far as I knew, sector military was in charge of handling the soldiers who had surrendered"]; **D54/119** Prom Kem WRI, A3 ["After the Lon Nol soldiers left the [C.I.] camp, Khmer Rouge soldiers came to occupy the camp. I remember that people were occasionally assembled for key meetings in the CI camp"]; **D114/2** Lak Saphan WRI, A12 ["C.I. was a former Lon Nol military barracks. Later I heard that during the Khmer Rouge regime Khmer Rouge soldiers were living there"].
- 2667 **D54/119** Prom Kem WRI, A4 ["the witness was told] that people were taken to be killed somewhere up above the CI camp"]; **D114/179** Sngoun Chhum WRI, A60 ["As far as I know, CI was a place where the Khmer Rouge took people to be killed [...] After 1979, I saw people going to excavate that place in search of gold. After the people excavated that place, human skulls were spread all over the ground"].

- 2668 **D114/65** Chet Bunna WRI, A9-10 ["Meas Muth was the commander of Division 3, and was also a deputy of Son Sen at the General Staff of the National Armed Forces. The territory under Meas Muth's control stretched from Teuk Sap through Kang Keng, Ream, and Kampong Som, and all the islands in the sea. These areas were called the autonomous areas which were under Meas Muth's control. He had the power to arrest and kill soldiers and civilians in the areas under his control. For example, if he noticed that any cattle or cows were skinny because they had not been taken care well, he would order the arrest of the persons in charge of taking care of those cows [...] A10: Under his [Meas Muth's] control, there were also some civilian cooperatives including Thmar Thom Cooperative, Ou Mlou Cooperative, Lar Ed Cooperative, Smach Deng Cooperative, Put Thoeung Cooperative, and Ba-bos Cooperative"]; **D54/17** Say Born WRI, A15 ["Q: How did you know that the site was under Division 164 management? A15: Because no regimental commanders inspected the site, but the Commander of Division 164, Meas Muth, inspected the work there"]; **D114/53** Uk Sok WRI, A250-253 ["Q: Was Division 3 in charge of all worksites near your cooperative? A250: Yes, all the soldiers were members of that division. Q: Do you know what name Division 3 was changed to? A251: No, I do not. Q: Do you know that Division 3 was changed to Division 164? A252: Yes, I know. It was the same division. Q: How do you know? A253: I heard that this division was not called Division 3 anymore. It was called Division 164"]; **D54/36** Brak Sokha WRI, A19-20 ["Brother Than was the commander of my Battalion 20. I did not know the commander of Battalion 21. Both battalions were subordinate to Division 164. Q: How did you know that? A20: It's because during the meeting the commander announced that our unit was under the control of the division"]; **D114/89** Seng Sin WRI, A166 ["Q: Was the production unit a part of Division 164? A166: Yes, it was"].
- 2669 **D4.1.699** Telegram 11 from Dim to Brother Mut, 24 Sep 1976, EN 00143240 [Emphasis added].
- 2670 **D4.1.699** Telegram 11 from Dim to Brother Mut, 24 Sep 1976, EN 00143240 ["For our situation, one of [the] combatants in Unit 62 doing farming in the vicinity of Chamkar Daung drowned and died without any valid reason. [...] The rice in all places is in progress. But in Kang Keng there are 12 hectares with deep water. However our brothers [combatants] are helping save the rice [from the flood]. As for the land, it has been cleared as planned. And it has been ploughed one time already. But we have to rake one more time"].
- 2671 **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195341 ["By 20 August, all the transplanting was completed, both light and heavy rice. By 30 August, 30 hectares of light rice was harvested with a yield of 50 bushels per hectare. Almost 300 hectares of middle rice [ordinary rice] were grown, and by approximately 10 October it will be sent out. 1,600 hectares of heavy rice has been transplanted by both the army and the people; the total force of both troops and people was 17,000. The rice harvest was exactly two tons over an area of 2,000 hectares, short by 61,000 bushels"]. See also **D1.3.27.22** DK Military Meeting Minutes, *Minutes of the Plenary of the brigade/division committees/commanders*, 21 Nov 1976, EN 00656384 [showing Meas Muth reporting on detailed items of rice production].
- 2672 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of Meeting of 164 Comrades*, 9 Sep 1976, EN00657355 ["On land: Since September, there were some strange activities among people in the Kang Keng base: Example: One piece of water buffalo meat was sliced, stones were put in the brick kiln, and stealing activities have been increasing. Mostly the civilians are good, but there are bad movements in the military. Recently one soldier lieutenant [of the former regime] was discovered and arrested"].
- 2673 **D1.3.27.20** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940340.
- 2674 **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs]*, 19 Sep 1976, EN 00195341 ["At Kang Keng there had been thievery, mostly appearing in military elements."]
- 2675 **D1.3.8.3** DK Military Meeting Minutes, *Minutes of meeting of the military work in Kampong Som*, 3 Aug 1976, EN 00234012 ["I. Report on military situation: Comrade Mut: 1. Defense force preparation: a. Weapons placed on Kampong Som mainland: In the city of Kampong Som, there are four 105mm, one 40mm, six 37mm and two 12,7mm canons. At Ream and Kang Keng, there are six canons--105mm, 37mm, and 12,8mm"].
- 2676 **D1.3.27.18** DK Military Meeting Minutes, *Meetings of Minutes of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, EN 00195352.
- 2677 **D114/68** Kuy Sambath WRI, A5 ["During the Khmer Rouge regime, my house was close to Kang Keng Airport. [...] [Meas Muth] often came to have a meal at my house"].
- 2678 **D54/17** Say Born WRI, A15 ["Q: How did you know that the site was under Division 164 management? A15: Because no regimental commanders inspected the site, but the Commander of Division 164, Meas Muth,

inspected the work there”]; **D114/53** Uk Sok WRI, A224 [“I just heard that Ta Muth came to visit the worksite [rice field near Kang Keng Airfield]”].

2679 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Q: [...] Meas Mut was at the division, but he was also in charge of the cooperative? A: Yes, he came down to see us occasionally to see if we needed something. And as a cooperative chairperson, we could see what we needed. If we needed something, we could request to him in writing, and then he would tell us to go to pick them up”].

2680 **D54/102** Ek Ny (Ni) WRI, A1 [“At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed, we were not allowed to possess even a knife. Each of us was allowed to have only a hoe. After that, Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level”]; **D114/89** Seng Sin WRI, A56, 60-61 [“Q: You said that there was another meeting after you reached the mainland. When and where did the meeting take place? A56: We stopped in Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan’s confession out loud in the meeting. [...] A61: He did not talk about anything else. He sent us to work in a production unit after the meeting”]; **D114/89** Seng Sin WRI, A56, 60, 63 [“We stopped at Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson. [...] A60: [...] The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan’s confession out loud in the meeting. [...] A63: I only remember when he talked about the traitors’ confessions. He talked about Norng Chhan and my two superiors. My superiors did not make a confession. Meas Muth just claimed that they were traitors”].

2681 **D114/89** Seng Sin WRI, A61.

2682 **D54/105** Ek Ny (Ni) WRI, A6 [“Meas Muth once said in a meeting that a person called Yeun dared to oppose our Party. Meas Muth said that Yeun insulted our revolution movement by saying that our revolution movement was a flame revolution movement and bloodthirsty movement. Yeun was the Regiment Commissar at Kang Keng”].

2683 **D54/104** Ek Ny (Ni) WRI, A3 [“Q: [...] Could you tell us why you circled the name Kung Kieng alias Oeng Vet in the column containing [...] the names of people who [were] implicated? A3: As far as I can recollect, Vet was the Battalion 631 Chairman, but I was in Battalion 623 during that time. [...] Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous”].

2684 **D54/104** Ek Ny (Ni) WRI, A3 [“Q: [...] Could you tell us why you circled the name Kung Kieng alias Oeng Vet in the column containing [...] the names of people who [were] implicated? A3: [...] Vet was in the army, stationed in Kang Keng Airport, but he was arrested”].

2685 **D114/230.1.1** OCIJ S-21 Prisoner List, EN 01222427 [identifying No. 2368 as Kung Kien (Korng Kien) alias Oeng Vet, Secretary of Battalion 631 who entered S-21 in April 1977].

2686 **D54/44** Lon Seng WRI, A19, 22 [“Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Mut, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division [...] Q: Were you in that training meeting where the East Zone soldiers were announced as bad-element soldiers? A22: Yes, I also attended that meeting”].

2687 **D54/45** Lon Seng WRI, A16 [“Q: Besides Meas Mut, was there anyone else in the division who had the authority to make such decisions? A16: No, there was not”].

2688 **D114/31** Moul Chhin WRI, A93; see also **D114/31** Moul Chhin WRI, A95 [“There was a big meeting, and each of us was required to attend. They assigned those units to designated worksites. Then there were small meetings at those worksites where work instructions were issued”].

2689 **D114/6** Yin Teng WRI, A153, 164-165 [“During the meetings, they mentioned plans to build canals, grow vegetables, and strengthening our stances. They mentioned Ta Mut once every two to three weeks [...] A164: They did not mention Ta Mut during those meetings attended by ordinary people. But they mentioned his name during meetings attended by cadres. I knew this because I worked about 500 metres away from the place where the meetings were held [...] A165: The meetings attended by cadres took place in a building, and they spoke through loud speakers. Since I worked nearby, I overheard them mention his name during the meetings”]. **D114/6** Yin Teng WRI, A162, 164-165 [“Q: During your stay in Kokir Village, did you attend any meetings? A162: Yes, I did. There was a meeting once every five days. [...] Q: Did they ever mention

about Ta Mut during those meetings? A164: They did not mention Ta Mut during meetings attended by ordinary people. But they mentioned his name during meetings attended by cadres. I knew this because I worked about 500 metres away from the place where the meetings were held. Q: How did you hear them speaking about Ta Mut? A165: The meetings attended by cadres took place in a building, and they spoke through loud speakers. Since I worked nearby, I overheard them mention his name during the meetings”].

2690 **D114/6** Yin Teng WRI, A153-154 [“Q: You said you attended the meetings on [a] daily basis. Was Ta Mut mentioned in those meetings? A153: During the meetings, they mentioned plans to build canals, grow vegetables, and strengthen our stances. They mentioned Ta Mut once every two to three weeks. Q: What did they say about Ta Mut? A154: They said that orders from Ta Mut must be followed, implemented, and respected; otherwise there would likely be trouble”].

2691 **D114/179** Snguon Chhum WRI, A14 [“The cooperative chairperson said that Ta Muth was ‘Senior *Angkar*’ in this area. This is all that I heard from Ta Laut”].

2692 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“We often worked together although his [Mut] workplace was far away from ours. We were at the cooperative. When he needed us, he sent his messenger to deliver a letter to us telling us about the date of the meeting we would have to attend”].

2693 **D114/6** Yin Teng WRI, A30-34 [“Q: Who led the meetings? A30: The village chairman. Q: Did the village chief lead the meetings every single day? A31: Yes, every single. To my knowledge, the village chief went to have meetings with Ta Mut every morning before coming to lead meetings with the villagers at 11 a.m. Q: Did you know why the village chief went to have meetings with Ta Mut? A32: The village chief was told in the meetings the tasks which *Angkar* assigned. Q: Did the village chief say that he had met with Ta Mut? A33: Yes, it was announced to us that the village chief had met with Ta Mut, who told him about *Angkar*’s new plans. Q: Did the village chief say that he had meetings with Ta Mut frequently? A34: I do not know if he spoke the truth or lied when he said he met with Ta Mut once a month”].

2694 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Granduncle Nhan was a soldier. He was a regiment [commander]”].

2695 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Q: So, when you needed something, you sent your request to Granduncle Nhan, and then Granduncle Nhan would forward it to Granduncle Mut. A: Yes, he forwarded to Granduncle Mut”].

2696 **D114/239** Sao Men WRI, A53 [“Q: Who was in charge at Bet Trang Dam? A53: Those in charge were Sai, Chhoeun, and Sanh. Those three people came to gather people to go to work at 4.00a.m.”]; **D54/91** Kuy Nen WRI, A5 [“The military commander leading the work in this area was Chhoeun. He was very cruel. He was deputy of Regiment 164”]; **D114/20** Mak Chhoeun, A41 [“Q: We received information that military cadres named Sari and Chhoeun were based in Kang Keng and were the supervisors of those projects. Can you explain that for us? A41: There was someone also named Chhoeun, and he was in the same place with Sari”]; **D54/92** Yem Sam On WRI, A28 [“Q: Who assigned you to repair the railway? A28: Chhoeun, the battalion chairman, sent me to repair railways”]; **D54/122** Lak Saphan WRI, A6-8 [“I just knew that those soldiers were under the supervision of Sari and Chhoeun. Sari and Chhoeun were Khmer Rouge military cadres. Both of them were the senior cadres controlling Smach Daeng, Ream, Tuek Sap and Bet Trang. There could have been other senior Khmer Rouge cadres, but I did not know them. I knew only those two. [...] Sari also monitored my work when I was working at a hospital in Ream in the former Cheng Heng Coconut Plantation. [...] Q: How did you know that Sari and Chhoeun were senior Khmer Rouge cadres in your area? A7: Because they were the ones who organized meetings, led the meetings, gave orders [...] Q: You said that Sari and Chhoeun were military cadres. How did you know that? A8: Because they were the ones who gave orders and made all the decisions at that place”]; **D114/239** Sao Men WRI, A11 [“Q: Do you know who was in charge of Bet Trang Worksite? A11: Those people have all died. The only persons whom I remember are Sai and Chhoeun”]; **D54/123** Lak Saphan WRI, A2-3 [“They told us during a meeting that they had removed the wealthy class and kept only the worker and peasant classes. Sari led the meeting. [...] A3: The meeting led by Sari took place a few days before they arrested my uncle. They held the meeting in a paddy field. There was another occasion when we were called to attend a meeting at Bet Traing Pagoda, where they told us that Khmer Rouge soldiers had captured the Mayaguez, an American ship”]. See also **D114/16** Sok Vanna WRI, A5 [“Sari was the commander of Regiment 31 of the land-based army and was stationed at Kang Keng”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978567 [“Q: Was Division 164 formed after the country fell in [19]75? A: Yes. Q: What platoon, company or regiment were you in when you were in Kampong Som? A: During that time I was a combatant. Q: What unit were you in as a combatant? A: I was in Battalion 162. Q: Who was commander of Battalion 162? A: Ta Chhoeun”]; **D59/2/3.14a** Pak Sokh DC-Cam Statement, EN

01184983 ["During the regime, I was a soldier. Q: I understand that. However, in which unit did you serve? A: Battalion 162. Q: Who was the commander of Battalion 162? A: It was Ta Chhoeun"].

2697 **D114/239** Sao Men WRI, A54 ["Q: Did you ever see Sai, Chhoeun, and Sanh at the dam construction worksite? A54: They were the ones who walked around to monitor how we worked"]; **D54/122** Lak Saphan WRI, A6, 8 ["When they sent me to work at the dam to hold back the sea water along Tuek Sap Dstream, I saw Sari come to observe the dam construction. [...] Sari also monitored my work when I was working at a hospital in Ream in the former Cheng Heng Coconut Plantation [...] Q: You said that Sari and Chhoeun were military cadres. How did you know that? A8: Because they were the ones who gave orders and made all the decisions at that place. They had armed bodyguards, and those bodyguards followed them everywhere they went to observe the work at each worksite. They dressed in black like other people, but they wore dark green military caps"].

2698 **D54/123** Lak Saphan WRI, A2.

2699 **D114/58** Som Saom WRI, A14, 16 ["I am not sure which level of authority managed the dam, but I think it was under Division 164 supervision. I say this because the area where the dam was located was under Division 164 control. I also know that Meas Im was responsible for the logistics. In fact, I did not know what the word 'logistics' meant. I just knew that Meas Im was in charge of the dam. Meas Im was responsible not only for that dam but also for the worksites at Kang Keng (a rice field worksite and Pou Thoeung (Dam worksite). He was in charge of the logistics of the area. [...] A16: It was in 1977 after I finished studying at Kampong Som and before they sent me to Kang Keng. Meas Im was responsible for all the worksites including the ones at Kang Keng as well"]; **D54/20** Sam Saom WRI, A14 ["I farmed rice in a mobile unit under the leadership of Ta Im. Im was the next highest ranking cadre under Meas Mut. Im was in charge of the work at the Kang Keng worksite and was also the deputy commander for logistics of Division 164"].

2700 **D114/40** Moul Chhin WRI, A14-15 ["Q: As for this location, when asked, 'Who was responsible for smelting iron in that pagoda?' you answered, 'maybe Ta Launh.' How did you come to know this? A14: Because Ta Launh visited the pagoda very often to monitor the work there. Ta Launh was responsible for Division 3 logistics. Q: How did you come to know of Ta Launh? A15: Because I met him in person. Sometimes, I went to meet him in Kampong Som to request cement, bricks, and other required materials"]; **D54/100** Lay Boonhak WRI, A22 [During the regime, Ta Launh also worked as a manager of Kampong Som naval port].

2701 **D114/109** Prum Sambath WRI, A202-204 ["Q: Did any of the senior Khmer Rouge leaders come to inspect the dam? A202: Yes, they did. However, I do not remember any of them, nor did I know their names. Q: How many times did they come to inspect the dam? A203: They came for two or three times. Q: What did they do when they came? A204: They came to measure the dam, and set us the deadline for the completion of the work"].

2702 *See, e.g.,* **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970697 ["My husband's name is Moul Oeun"], EN 00970702-03 ["I first met him in Put Thoeung. [...] He was in charge of the cooperative of Put Thoeung at that time. They [Khmer Rouge] assigned him to be the chairman of the Put Thoeung cooperative [...] In 1977 he went to the East Zone [...] they selected 1-2 persons to be the new chairpersons to lead us on"]. *See also* **D114/117** Nav Sokhan WRI, A234, 286 ["My cooperative was called Smach Daeng Cooperative. Din (male) was a member. I do not recall the name of the cooperative chairperson and deputy [...] A286: Pin served as Smach Daeng Cooperative chairperson, and Din was his deputy"]; **D114/69** Kuy Sambath WRI, A1 ["During that time, our cooperative was under the control of the sector committee. I did not know who the members of the sector committee were, but there were two people, Ta Dim and Ta Yan. I did not know their surnames. The two cadres were the ones who were in charge of our cooperative. I was not sure what headquarter the two cadres came from. What I knew was that they were assigned to control our cooperative"]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 ["There were two co-operatives at Ream, for the wives and children of the soldiers and workers. They did farming at Smach Deng under the supervision of Ta Nget, who was a regiment commander"].

2703 **D54/90** Kuy Nen WRI, A2, 10, 11, 13, 37 ["During that time, the wives of Khmer Rouge soldiers were the chairwomen of the cooperatives here [...] A10: The chairwoman of Babos Cooperative was Comrade Ri [...] A11: I did not know the husband of Comrade Ri. I only knew that Comrade Ri was from Takeo [...] A13: Comrade Ri worked as the chairwoman of Babos Cooperative from 1975 until 1979 [...] A37: Cooperative forces were supervised by the cooperative chairpersons, and military forces were controlled by the leadership of Unit 164"].

2704 **D54/120** Prom Kem WRI, A2, 6 ["As I recall, my Cooperative Chairmen, Ta Laut, was the highest decision-making authority. They may have been someone higher than him, but I do not know who that was, meaning I

just knew up to his level. Ta Laut always mentioned *Angkar*, saying *Angkar* wanted the brothers and sisters to put up a dam, do this, or do that [...]. A6: [...] I worked under the control of a Cooperative Chairman Uncle Laut, about 70 years old". See also **D114/6** Yin Teng WRI, A113 ["They said, 'Don't question us! When we receive work from *Angkar*, we will deliver it to you'"]; **D114/179** Snguon Chhum WRI, A13 ["The name of my cooperative chairperson was Ta Laut; however, I do not remember his family name. His deputy was Ta Kheang"]].

2705 **D114/31** Moul Chhin WRI, A98 ["When they said they had met with upper echelon, they referred to Ta Mok and Ta Muth. That was their method of operation"].

2706 **D54/45** Lon Seng WRI, A11, 17 ["Meas Mut announced that 1500 soldiers from the East Zone who were under Dim's supervision would be put together into our division in order to form a marine division. Those soldiers had to go through a selection process before they were put in the marine division. [...] Q: At the beginning you mentioned that these 1500 soldiers were sent to the big production unit in Putth [...]. A17: [...] The big production unit was under direct supervision of Division 164"]; **D54/36** Brak Sokha WRI, A2, 19-20 ["we were told that we were to be transferred from the unit to be placed in a mobile unit at Prek Chak because our unit contained no good elements and that we had to be sent for tempering [...] A19: Brother Than was the commander of my Battalion 20. I did not know the commander of Battalion 21. Both battalions were subordinate to Division 164 [...] Q: How did you know that? A20: It's because during the meeting the commander announced that our unit was under the control of the division"]].

2707 **D54/36** Brak Sokha WRI, A4, 16 ["Each battalion composed of three companies and each company composed of three platoons. Each platoon composed of three squads and each squad had twelve members [...] Q: How many people from that mobile unit who were working on the northern side of national road number 4 near Ream? A16: There were two battalions, 20 and 21. I was in Battalion 20. Serious offenders were placed in that battalion. In that battalion, we were given blue clothes and a cap. Battalion 21 was for light offense prisoners. They wore black clothes"]; **D114/65** Chet Bunna WRI, A16 ["At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Ba-bos [...] I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry where I worked until the Vietnamese arrived"]].

2708 **D54/36** Brak Sokha WRI, A16 ["I was in Battalion 20. Serious offenders were placed in that battalion. In that battalion, we were given blue clothes and a cap. Battalion 21 was for light offense prisoners. They wore black clothes"]].

2709 **D114/40** Moul Chhin WRI, A23-25 ["Q: Who did you and the other people report to when working at the dam? A23: At that time, we had to report to Koeun, a regimental commander in Division 3. Q: Can you tell us the number of this regiment? A24: This regiment had no number. Koeun was the unit chief who had the aforementioned 300 people under his command. It was a mobile unit whose members were demobilized soldiers from Division 3. Q: What was the makeup of that work unit? A25: As far as I knew, all of the 300 people were men"]].

2710 **D54/90** Kuy Nen WRI, A15, 39 ["From what I knew, Comrade Ri reported to the regiment at Teuk Sab [...] A39: Before the plan started, the chairman of the cooperative and the soldiers conducted a meeting to announce the project to the people and the work delegated to each cooperative, for instance the length of the dam to be completed"]; **D114/239** Sao Men WRI, A55-56 ["Q: Was that dam construction controlled by civil or military authorities? A55: It was controlled by both civil and military authorities. Those Pol Pot soldiers came to work with us in mobile units too. Q: Why do you say that the worksite was controlled by both civil and military authorities? A56: They came to monitor our work"]; **D114/83** Sok Neang WRI, A24-25 ["I forgot to tell you that there was one more Company under Battalion 167. It was Company 31, whose commander was Pheap (female). What was special about this company was that it was divided into small units and they were sent to live with civilians in the communes and villages, such as Thma Thom Village, Korky, Pou Thoeung and Smach Daeng to lead people to work. [...] A25: I just want to say that they went to instruct and train people to work"]; **D54/26** Pak Sok WRI, A28 ["I got to know of these killings when I was placed into the no-good elements. I was ordered to work at a paddy field in this Ream area, as I have informed you earlier. I was placed to work with base people in that area"]; **D2/6** Nhoung Chrong WRI, A24 ["The Regiment 22 initiated the dam construction project. The people working there included ordinary people, the production unit people, and the military troops"]. But see **D2/17** In Saroeun WRI, A50 ["Q: Did the areas surrounding the Kang Keng Airfield belong to the civilian or the military during the Democratic

Kampuchea? A50: During that time the civilians farmed rice in the surrounding fields, and the soldiers stayed at the foot of the mountain”].

2711 **D54/36** Brak Sokha WRI, A11.

2712 **D114/80** Durian I Site, Bet Trang Site, Support Installations in the Framework of Div 164 Site ID Report, EN 01104579, 01104583 [“Photographs depicting the command location of Regiment 22, Division 164 in 1975”], EN 01104584 [“GPS data of location of Regiment 22 in 1975”]; **D54/17** Say Born WRI, A13 [“A battalion of Regiment 22 was stationed on the other side of Kang Keng Airport”].

2713 **D114/141** Toek Sap Site ID Report, EN 01173095; **D114/18** Mak Chhoeun WRI, A27-28 [“The headquarters of Regiment 63 was right there at Kang Keng Airport [...] A28: The house of the commander of Regiment 63 was inside Kang Keng Airport. At that time, Kang Keng airport was not in operation, so the commander stayed inside a building in the airport compound”]; **D2/9** Say Born WRI, A1-3 [“When I first arrived in Kampong Som, the forces of my company unit were divided up with some of whom working with the peasants and others were assigned to protect the Kang Keng Airfield. [...] A2: [...] I was put in the company 22. [...] Q: Where was the command base of your company 22? And where was the command base of the Regiment 22? A3: The command base of the Regiment was in Thmar Thom village adjacent to the Airfield, and my company command base was in Smach Deng village”]; **D54/8** Dol Song WRI, A22 [“My Regiment 22 was stationed at Kang Keng Airport. Our workplaces were around that airport. Later, in around early 1976, I left Regiment 22”]; **D114/66** Chet Bunna WRI, A19 [“When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy. That Regiment 63 [was] based in a place near the intersection of National Road 4 and the road to Ream which was also close to the Kang Keng Airfield”]. See also **D114/243** Thorik Sen WRI, A68-73 [“Q: Where was the headquarters of Division 3? A68: In the vicinity of an airport. Q: How did you know? A69: I saw soldiers there. Q: Can you describe the headquarters? A70: At the headquarters, there were all sorts of weapons. The weapons were always there at the airport. There was a guarding post. Q: To which airport do you refer? A71: Kang Keng Airport was also in Smach. Q: What kinds of weapons did you see at the military headquarters? A72: As I know there were Be, Bangtralaok [machine gun with a drum magazine mounted below], AK, 60, DK 75, Sevantinai [M79] (which can be opened for reloading). Q: How did you know? A73: I saw them”]; **D114/115** Svay Saman WRI, A15 [“Before the warehouses were moved to the new location, the commander's house was located at Kang Keng, adjacent to the high building within the airfield”]; **D114/66** Chet Bunna WRI, A19 [“Regiment 63 based in a place near the intersection of National Road 4 and the road to Ream which was also close to the Kang Keng Airfield”]; **D114/19.2** Mak Chhoeun WRI, Annex: Map of Islands, KH 01034015; **D2/6** Nhoung Chrong WRI (member in group 3, platoon 3, company 22, Battalion 550, Regiment 22, Division 3), A9, 15 [“Q: At that time T-4 was changed to Battalion 550 and put under Regiment 22. A9: Yes, it was correct [...] A15: After I came from Phnom Penh, they first had me stay in the Kang Keng Airfield, but some days later they sent me to Koh Tang Island”]; **D59/1/1.10a** Phlong Chhea (platoon chief, battalion 530, Regiment 22) DC-Cam Statement, EN 00968346 [“Q: Was your unit transferred immediately after taking control of the area? A: Yes! We took control and immediately withdrew. We did not stay and mix ourselves with the rest of the forces in Phnom Penh [...] Initially when I arrived in Kampong Som I stayed at Kang Keng airfield [...] There was no specific assignment, we only guarded the road [...] I stayed there for less than one week. Q: While you were at Kang Keng, did all soldiers stay there together or were you divided? A: We were divided according to our battalion”]; **D114/18** Mak Chhoeun (Battalion 530 commander, Regiment 22) WRI, A26, 30-31 [“The headquarters of Regiment 63 was at Kang Keng Airport [...] A30: The headquarters of Sary [Battalion 540 commander, Regiment 63] was at the intersection of National Road 4 to Kang Keng Airport. It was at the intersection, on the left side of the road going down from National Road 4. [...] A31: At that time, there was only one road leading from National Road 4 to Kang Keng Airport”].

2714 **D114/66** Chet Bunna WRI, A19 [“When I first arrived in Teuk Sap in 1977, Ta Chorn was in charge of that place. Ta Chorn was the commander of the Regiment 63, and Ta Nhann was his deputy [...] Later on, Chorn was arrested and Nhann took over his position and held it on until the fall of the Khmer Rouge regime”]; **D54/98** Heang Ret WRI, A28, 121, 127 [“Ta Nhan was the commander of Regiment 63 [...] A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander. [...] Q: According to your interview with the Documentation Center of Cambodia, you said, “Ta Nhan was the commander of Regiment 63 stationed at Kang Keng”. Is this correct? A127: Yes, it is”]; **D59/1/1.11a** Hieng Ret DC-Cam Statement, EN 00974121 [“Q: Who was chief of those three high ranking classes? A: Ta Chorn was the chief. Previously, Ta Nhan was the chief, but, when Ta Nhan was promoted to

- logistics, Ta Chorn replaced him”], EN 00974135 [“Ta Nhan was then in charge of Regiment 63 at Kang Keng”]. *See also* **D114/77** Svay Sameth WRI, A30 [“Q: Did you know Mom Yan? A30: Yes, I did. He was the Commander of Regiment 63. His base was in Kang Keng Airport which was near a crossroad at Smach Daeng between an entry to the airport and the national road. He was the Commander of Regiment 63 before Chorn came to replace him. I do not know what happened to him”].
- 2715 **D114/79** Kang Sum WRI, A177, 271-273 [“Q: Who told you to accomplish the daily quota of seven cubic metres of rocks? A177: Ta Nhan did [...] Q: Now we go back to 1976. In 1976, who controlled the quarry worksite in Au Mlou? A271: Ta Nhan did. He was in charge of logistics. Q: Do you know what the rocks extracted from the quarry was used for? A272: The rocks were used to build a port in Steung Hav. Q: Why did you know that? A273: Because Ta Nhan said so when he came to the worksite”].
- 2716 **D114/77** Svay Sameth WRI, A30 [“Q: Did you know Mom Yan? A30: Yes, I did. He was the Commander of Regiment 63. His base was in Kang Keng Airport which was near a crossroad at Smach Daeng between an entry to the airport and the national road. He was the Commander of Regiment 63 before Chorn came to replace him. I do not know what happened to him”].
- 2717 **D54/26** Pak Sok WRI, A13 [“A battalion of about 150 military personnel of Regiment 62 were stationed there. [...] The battalion military personnel were positioned near the orange and durian plantations”]; **D2/6** Nhoung Chrong WRI, A36 [“Q: What was the place of the orange plantation which you showed us this morning? A36: It was the place where the troops stayed. [...] The unit stationing at the orange plantation then was that of the Regiment 62”]; **D114/292** Site ID Report, EN 01366048 [Map depicting area in which Regiment 62 was stationed]; **D114/58** Som Saom WRI, A46 [“Q: What was that location [Chamkar Krauch]? A46: First, it was Regiment 62 Artillery”]; **D2/6** Nhoung Chrong WRI, A36, 43 [“Q: What was the place of the orange plantation which you showed us this morning? A36: It was the place where the troops stayed. [...] I stayed behind, so they put me into the unit stationing in front in the orange plantation. The unit stationing at the orange plantation then was that of the Regiment 62. [...] A43: They were the groups [troops] of the Regiment 62 whose base was in Ream. [...] So, the groups of the Regiment 62 were those who took people from Ream to kill in the Durian plantation”]; **D4.1.750** Unknown US POW/MIA Statement, EN 00387279 [“According to other debriefings, the 21st Regiment was headquartered near Ream”].
- 2718 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.41.42-10.45.27 [“At that time, [the] majority of people who committed the killings came from the regiment where I worked previously, that was Regiment 62. Those who were arrested, were taken by this Regiment 62 to an orange plantation and a coconut plantation where the execution took place”]; **D2/6** Nhoung Chrong WRI, A41, 43, 45 [“Q: When you said that they used them as the fertilizer, what did you mean? A41: It meant they took them to kill there. They killed and buried their [bodies] under the Durian trees as the fertilizer [...] A43: [...] the groups of the Regiment 62 were those who took people from Ream to kill in the Durian plantation [...] A45: I heard about it [people being taken from Ream] from the other soldiers in the unit”]; **D54/26** Pak Sok WRI, A13 [“A battalion of about 150 military personnel of Regiment 62 were stationed there. The duty of those military members was to wait and receive the Vietnamese who had been captured and take them to be killed at the durian and coconut plantations”]. *See also* **D4.1.699** Telegram 11 from Dim to Brother Mut, 24 Sep 1976, EN 00143240 [“For our situation, one of [the] combatants in Unit 62 doing farming in the vicinity of Chamkar Daung drowned and died without any valid reason”]; **D114/99** Durian II, Toek Sap, Bet Trang Site ID Report, EN 01125394 [“[H]e knows this place and identified the site as a base of DK military [...] The witness stated that this site is known to him as a Durian, Orange and Pepper plantation. The witness stated that to his knowledge, during DK, military units were in this location based”]; **D54/120.1** Prom Kem WRI, Annex: Sketch of places, EN 01023168; **D54/18** Nou Saroeun WRI, A34, 39 [“While I was working in the children’s unit, I saw the Khmer Rouge military sending captured fishermen to the durian orchard. The fishermen were handed over to another Khmer Rouge unit for execution there. [...] Q: How did you know that the Khmer Rouge soldiers who arrested the fishermen were a different group from those who killed them? A39: I heard it from my unit chairman and other people during the event”]; **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978574-75 [“Q: Were those fishermen sent to Ream or to the former king’s residence? A: To Ream. [...] After I had delivered them to [the troops] in Ream, I returned to my place”].
- 2719 **D114/77** Svay Sameth WRI, A2, 4, 24 [“But I can tell you that the Durian Plantation was under the control of Ta Meanh, who was the Commander of Regiment 62 [...] Q: Do you know how long Ta Meanh stayed in that sector? A4: He stayed there between 1975 and 1976. [...] Q: Do you know who the Commander of Regiment 62 under Division 164 was? A24: I only know that Meanh was the Commander. Afterwards he was replaced by Son”].

- 2720 **D114/77** Svay Sameth WRI, A3 [“Ta Meanh had a house in the Durian Plantation. He used to stay there when he was not on the islands. For example, [he stayed there] when he returned from Koh Tang Island. Some of his soldiers stayed at the Durian Plantation. Son took care of his house”]. *See also* **D114/77.3** Svay Sameth WRI, Annex: Sketch of Places, EN 01517435.
- 2721 **D114/77** Svay Sameth WRI, A5, 7, 24 [“Ta Meanh was removed and replaced by Son, who came to Regiment 62 in maybe 1976. This was a different Son from Son who took care of the regiment commander’s house in the Durian Plantation. [...] Q: Which province did Son come from? A7: He was from Kampot Province. [...] A24: I only know that Meanh was the Commander. Afterwards he was replaced by Son”].
- 2722 **D1.3.27.18** DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Division and Regiments*, EN 00195341. *See also* **D1.3.27.22** DK Military Meeting Minutes, *Minutes of the Plenary of the brigade/division committees/commanders*, EN 00656391 [“At Division 164, both the military and the people have planted 270 hectares as planned”]; **D114/34** Nap Somaly WRI, A65 [“Q: Were you in a civilian unit or a military unit? A65: I was in a civilian unit”]; **D54/91** Kuy Nen WRI, A2 [“Q: You said this concrete bridge was built by Khmer Rouge soldiers. What unit did those Khmer Rouge soldiers come from? A2: They were the Khmer Rouge soldiers of Unit 164”]; **D54/18** Nou Saroeun WRI, A15 [“As I remember, the dam was completed within two or three months because they collected a lot of people from various cooperatives, army and mobile units to work following their designated plan”]; **D2/6** Nhoung Chrong WRI, A24, 26-27, 31-32 [“The Regiment 22 initiated the dam construction project. The people working there included ordinary people, the production unit people, and the military troops. [...] A26: [...] The people throughout the Kang Keng area, about 500 to 600, had been gathered up to work there. [...] A27: This dam project started in 1977. This dam was completed about three to four months later in the same year. [...] Q: After the dam construction project was completed, what happened to the bad trend people and the ordinary people? A31: Those in the production unit stayed on to work there until the Vietnamese troops arrived. Q: After the dam project had been completed, did those in the production unit do rice farming as usual? A32: Yes”].
- 2723 **D114/31** Moul Chhin WRI, A89-90 [“Later the troops were demobilised and our unit was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals. Q: Why did they demobilise your unit? A90: They accused us of being enemy links because our battalion/regimental commanders had all been arrested and shot dead”]. *See also* **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 15.05.58-14.14.44 [“Q: So those who had bad biographies, in particular those who had relatives who had worked as servicemen for the Lon Nol regime, who had been Lon Nol officials, were cast aside. So what did that mean? Were they set aside? Were they taken away? Do you know where these people went? And do you know what happened to them? A. In Division 164, to what I knew, there was a mobile unit namely, ‘Ta Chhay Unit’. Those who were linked to bad elements would be put in one group. For instance, if I had parents, had a father who was linked to American CIA, ‘Yuong’s’ or KGB agents, then, I was no longer trusted. Subsequently, I would be removed into a mobile unit which was tasked with working the fields near Bo Bos (phonetic), to the north of Kang Keng and Smach Daeng. That was the place to house those who were linked to the tendency of former regime. [...] There were great numbers of people, 400 or 500, within that mobile unit or Ta Chhay unit or production unit”]; **D114/109** Prum Sambath WRI, A190 [“My unit were also assigned to build the dam”]; **D54/78.1** Nob Hal (Navy messenger, Battalion 622, Division 164) DC-Cam Statement, EN 00968386 [“It was that [...] 624 [...] there were two forces. One was on Koh Tang, and the other grew rice in the vicinity of Kang Keng”]; **D54/79** Nop Hal WRI, EN 00992451 [“Just now, you asked me about the island, but now you are asking about a location on the mainland. I just knew that some groups in Regiment 62 were sent to do rice farming around those areas”]; **D54/20** Sam Som (Company 42, Battalion 623, Regiment 21) WRI, A14 [“But at that session I just studied and went through a life-view examination in a blue building in Kampong Som for three days. After that, I went to do labor work at Kang Keng Airport for one month. It was difficult work. I farmed rice in a mobile unit under the leadership of Ta In”]; **D114/121** Phar Suon (Unit 86, Sector 37) WRI, A24 [“However, I did observe other groups of men carrying bundles of rice and women transplanting rice seedlings”]; **D54/97** Khoem Yat (Company 120, Battalion 2, Regiment 52, Sector 22) WRI, A10 [“At Kang Keng, they had us to farm rice with hoes instead of using cattle to plough”].
- 2724 **D114/79** Kang Sum WRI, A168, 278 [“Q: Were all the soldiers of your Regiment who had been released ordered to break rocks there [Au Mlou at Kang Keng Airport]? A168: Yes, they were. [...] A278: Many people, approximately 3,000 people were working there [at Kang Keng Airport and rice fields”]; **D54/90** Kuy Nen WRI, A41 [“About 800 to 1,000 people worked on the [Bet Trang Dam] project”]; **D54/18** Nou Saroeun WRI, A14, 16, 24 [“they assigned my [children’s] unit to cut grass at the rice fields near the [Bet Trang] dam.

[...] A16: I estimate that there were hundreds of people [at Bet Trang Dam], because I saw the site was full of people in black uniforms [...]. A24: There were three [children's] units (Unit 1, Unit 2, and Unit 3), I was in Unit 1. There were 100 to 200 children in each unit. In fact there were almost 200 children, in each unit"; **D114/40** Moul Chhin WRI, A21 ["Q: You said 300 people worked at that dam [Bet Trang Dam]. How did you come to know such an exact figure? A21: Because I was there and we worked together. We worked in teams, and each team worked consecutively with each other; therefore I am able to state the number clearly"]; **D54/36** Brak Sokha WRI, A4 [calculated approximately 650 persons in his mobile unit that worked at Bet Trang worksites]; **D114/239** Sao Men WRI, A26-27 ["There were thousands of workers there [at Bet Trang worksite]. Even in one kitchen, there were up to two or three hundred workers. [...] A27: There were two to three hundred workers in one kitchen, and there were many kitchens"]; **D54/17** Say Born WRI, A14 ["The labourers [at a worksite located at a brick kiln near Kang Keng Airport] included civilians and soldiers. [...] Although I cannot determine the exact number of labourers there, I estimate there were more than 100 labourers"]; **D54/43** Lon Seng WRI, A19 ["That production unit [assigned to Puth Te Village, across the road from Kang Keng Airfield] was comprised of thousands of former military officers who were regarded as 'bad elements'"]; **D114/243** Thork Sen WRI, A24-25, 50-51, 96, 98, 100 ["Q: How many children were there in your unit? A24: In each unit, there were probably 150 children [...] A25: Usually we were assigned to collect coconuts, clear bushes, catch, fish and learn to swim. [...] Q: Where was your children unit located? A50: The unit was located in three places: a sugar apple plantation, a seaside at the end of a broken bridge and at the end of a coconut plantation [...] Q: To which seaside do you refer? A51: At Ream, the coconut plantation [...] Q: When did you go to work there [at Bet Trang Dam]? A96: In 1975, when I lived in Bet Trang. [...] Q: How many people worked at Bet Trang Dam worksite? A98: Hundreds [...] Q: How many children worked there? A100: There were about 30 children in one children's unit"]; **D114/156** Soeng Noch WRI, A13, 19-21, 23-24, 188, 191 ["They put me into a children's unit. [...] Q: How many children were there in the children's unit [in Battalion 580]? A19: I do not know how many children there were. [...] However, I do remember that they assigned me to distribute blankets to them. I recall that there were 371 blankets. Q: There was approximately that number of children in Battalion 580. How about your children's unit? A20: I do not know about the number [...] Q: What did they assign your children's unit to do? A21: They had us clear forest and pick up ripe coconut fruits. After that, they had us harvest rice in a cooperative. [...] A23: They had us farm for various cooperatives [in Ream] [...] A24: [...] Prabos, Putthoeun, Smach Daen and other cooperatives [...] A188: I participated in building the dam at that worksite from Bit Trang Pagoda to Ou Prai. [...] Q: How many of them [workers were there at Bit Trang Dam]? 50 or 100? A191: About 400 or 500 people"]; **D114/240** Phin Venh WRI, A11, 15-17, 24, 27, 46-47 ["I was a child and they sent the children there to build the [Bet Trang] dam. [...] Q: When did you go to work at the dam? A15: From 1975 to 1976. In 1976, I went to Chamkar Doung [a coconut plantation] [located at Ream Port]. [...] A16: This dam [Bet Trang] was two kilometres long, and there were a lot of people who were working there [...] A17: They assigned the children to carry earth on their shoulders. [...] Q: How many children were there in the children's unit? A24: There were 250 children. [...] A27: The children were sent from there to Chamkar Doung. [...] Q: How many children's units worked in Chamkar Doung? A46: There were three units. Q: How many children were there in each unit? A47: There were 250 children in each unit"]; **D114/121** Suon Phar WRI, A20, 22, 24 ["[At Koh Tang Island] they demobilized our unit [86] before I was sent to grow rice at Kang Keng Airport. [...] A22: I remember that all of Unit 86 was disarmed on Koh Tang Island and sent back to Ream Port, where they demobilized us and gave each of us one hoe to work with. That happened in July 1977. [...] they sent us to work around Kang Keng Airport. [...] A24: Approximately 200 to 300 soldiers from my unit were demobilised"]; **D54/97** Khoem Yat WRI, A41 ["I was taken to Kang Keng Airport. [...] I noticed that about 200 to 300 soldiers came to work at Kang Keng airport"]; **D114/135** Nub Phorn WRI, A19 ["Around 60-100 soldiers in my company were demobilised, but I do not know how many soldiers were demobilised from other units. [...] They had us join the mobile units at Kang Keng to grow rice"]; **D54/81.2** Hing Uch DC-Cam Statement, EN 01001396 ["I was sent to stay at Kang Keng airfield. [...] I went to help with the rice farming works [...] the entire unit was sent there"]; **D2/6** Nhoung Chrong WRI (member in Group 3, Platoon 3, Company 22, Battalion 550, Regiment 22, Division 3), A26 ["There were too many people. The people throughout the Kang Keng area, about 500 to 600, had been gathered up to work there"]; **D114/53** Uk Sok WRI, A53, 56-57, 103 ["Q: Were the children assigned to cut *tuntrean khet* plants? A53: Yes [...] Q: How many children in the unit? A56: Twenty. Q: Where was the unit located? A57: It was located in Pu Thoeung Village, about three kilometres from the national road. [...] A103: [...] There were many children's units, but in my unit there were only twenty"]; **D114/242** Prak Bunny WRI, A9, 29, 50-51, 57 ["I was gathered to work

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at a coconut plantation in Ream with many other children. [...] Q: Were there any other children's units in the vicinity of that place? A29: Yes, there were many units. There were Unit 11, Unit 12, Unit 13 and so on. [...] Q: During that regime were you sent to work at any other places? A50: We were sent to pick coconuts and then we were assigned to farm paddy with the youths. Q: Where were you sent to farm paddy? A51: I was sent to work near Kang Keng airfield. [...] A57: [...] There were 50 children in each children's unit".

D114/156 Soeng Noch WRI, A188-189 ["I participated in building the dam at that worksite from Bit Trang Pagoda to Ou Prai. [...] A189: [...] There were men, women, young people, and the elderly working there"]; **D114/139** Nguon Lay WRI, A108 ["Q: Did you ever go to that worksite or that dam [Bet Trang Dam]? A108: I didn't see many children. The children made up only one or two percent"]; **D114/243** Thork Sen WRI, A25, 95, 100-101 ["Q: What was your group [children's unit] assigned to do in the coconut plantation [in Ream]? A25: Usually we were assigned to collect coconuts, clear bushes, catch fish, and learn to swim. [...] A95: I used to dig there [at Bet Trang Dam]. [...] Q: How many children worked there? A100: There were about 30 children in one children's unit. Q: How old were they? A101: They were only 13 or 15 years old. They were quite young"]; **D54/36** Brak Sokha WRI, A11 ["Q: Can you estimate the percentage of former Battalion 310 soldiers, former East zone soldiers, '17 April people' and Khmer Krom people in that [the witness's] mobile unit [at Prek Chak]? A11: [...] There was [among other things] also a female platoon unit"]; **D114/117** Nav Sokhan WRI, A60, 106 ["They sent me to Chamkar Daung Cheng Heng Farm [in Kampong Som] and ordered me to collect coconuts there. [...] Q: Were the workers who worked at Chamkar Daung Plantation men and women? A106: Yes, they were"]; **D114/239** Sao Men WRI, A15, 29 ["I was sent to Krei Ting in Kampot. When I was here, I got separated from all my children because they were sent to work in the coconut plantation. [...] A29: They worked at Cheng Heng's coconut plantations in Ong Village. My children were sent to work there."]; **D54/18** Nou Saroeun WRI, A14, 25, 30, 38 ["they assigned my [children's] unit to cut grass at the rice fields near the [Bet Trang] dam. Sometimes we cut grass near that dam construction site. [...] A25: The children were grouped according to their age. The youngest children were assigned to do light work such as picking up ripe coconuts and transporting firewood by water to a warehouse. The older children like me were put in Unit 1 where they were assigned to pick coconuts, clear coconut plots or help grow rice. The children in Unit 2 were about 10 years old and those in Unit 3 were from 7 to 9 years old. [...] A30: My children's unit was located in Ong Village, in Ream Commune [...] A38: [...] I was working in the children's unit in the coconut field"]; **D114/40** Moul Chhin WRI, A25, 27 ["As far as I knew, all of the 300 people [working at Bet Trang Dam] were men. [...] A27: Most of those workers were a similar age to me. At that time, I was about 25 years old. Some workers were a little younger than me and some workers were a little older than me"]; **D114/240** Phin Venh WRI, A9, 11, 15-16, 25, 27, 50 ["I was still a child [...] the Khmer Rouge sent me to build Ou Prai dam. [...] A11: [...] I was a child and they sent the children there to build the dam. [...] Q: When did you go to work at the dam? A15: From 1975 to 1976. In 1976, I went to Chamkar Doung [a coconut plantation] [located at Ream Port]. [...] A16: This dam [Bet Trang] was two kilometres long, and there were a lot of people who were working there, including children. Q: Were they [the children working at Bet Trang Dam] all the same age? What was their average age? A25: The youngest one was 7 years old and the oldest one was 14 years old. [...] A27: The children were sent from there to Chamkar Doung. [...] Q: What kind of work did you do every day in the children's unit [at Chamkar Doung]? A50: We did rice farming in rainy season; we did it with the people there. After farming rice in the rainy season, they assigned us to dig canals in dry season. When we arrived at Chamkar Doung, they assigned us to plough earth to grow crops like yam"]; **D11/387** Sam Vuthy CPA, EN 01210491 ["In 1977, the unit chief, Comrade Lun, sent all of the female and male youths to do dry and season farming at Bet Trang Dam in Prey Nob District. [...] Comrade Lun forced all youths to dig a canal to generate water for dry season farming in the lower areas at Bet Trang Dam"]; **D54/121** Lin Sarin WRI, A2 ["During the Khmer Rouge regime, I was assigned to work in a children's unit with 10 to 20 other children. I was assigned to cut *tuntrean khaet* plants for the purpose of producing fertiliser on both sides of National Road 4 and on top of the [Bet Trang] dam"]; **D114/121** Suon Phar WRI, A22 ["they sent us to work around Kang Keng Airport. Mainly we dug soil and built dikes for the women's unit to transplant rice seedlings"]; **D114/6** Yin Teng WRI, A25 ["My eldest son was assigned to cut grass with a sickle far from our home [which was in Thma Thum Village]. My other two children were assigned to cut grass with a sickle near our home"]; **D114/53** Uk Sok WRI, A53-54, 57, 105, 119, 218-219 ["Q: Were the children assigned to cut *tuntrean khet* plants? A53: Yes, it was not hard work. Any children who could carry a bundle of the plants were assigned to do it. Q: What was the age of the oldest children? A54: From eight to nine. [...] Q: Where was the unit located? A57: It was located in Pu Thoeung Village, about three kilometres from the national road. [...] A105: [...] They were all children of the soldiers. [...]

A119: They were from six to eight or nine years old [...] A218: [...] Soldiers came to [a rice field near Kang Keng Airfield to] farm rice when the farming season arrived. [...] A219: The soldiers' wives worked differently. Those who farmed rice had to go farm in the growing season"; **D2/17** In Sarouean WRI, A38 ["I was in the children unit, and they had me collect coconuts"]; **D114/242** Prak Bunny WRI, A9, 29, 50-51, 53, 85 ["In 1975, I was 12 years old. I was gathered to work at a coconut plantation in Ream with many other children. [...] Q: Were there any other children's units in the vicinity of that place? A29: Yes, there were many units. There were Unit 11, Unit 12, Unit 13 and so on. [...] Q: During that regime were you sent to work at any other places? A50: We were sent to pick coconuts and then we were assigned to farm paddy with the youths. Q: Where were you sent to farm paddy? A51: I was sent to work near Kang Keng airfield. [...] A53: Only the elderly unit worked at the edge of Kang Keng airfield to the north of the road. [...] Q: How old were you when the soldiers withdrew from Kang Keng airfield? A85: Then, I was 15 or 16 years old; it was in 1977]. See also **D114/179** Snguon Chhum, A58 ["Only a small number of young people were assigned to build the [Bet Trang] dam"].

D54/120 Prom Kem WRI, A3.

D1.3.27.18 DK Military Meeting Minutes, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195341 ["1,600 hectares of heavy rice has been transplanted by both the army and the people; the total force of both troops and people was 17,000"].

D1.3.27.18 DK Military Meeting Minutes of Meeting, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195341 ["The rice harvest was exactly two tons over an area of 2,000 hectares, short by 61,000 bushels"]. See also **D114/79** Kang Sum WRI, A279 ["Q: As for the rice farm [near Kang Keng Airfield], can you estimate how big it was? A279: There were thousands of hectares"].

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 10.49.49-10.51.34 [witness was "assigned to farm rice" in Kokir Village, Smach Daeng]; **D114/242** Prak Bunny WRI, A29, 50, 51, 57 ["Q: Were there any other children's units in the vicinity of that place? A29: Yes, there were many units. There were Unit 11, Unit 12, Unit 13 and so on. [...] A50: [...] we were assigned to farm paddy with the youths. Q: Where were you sent to farm paddy? A51: I was sent to work near Kang Keng airfield [...] A57: [...] There were 50 children in each children's unit"]; **D114/239** Sao Men WRI, A12, 15, 40-42, 45-46 ["There were many people, hundreds of people [working at Bet Trang worksite]. The queue of people waiting to get their meals was very long. [...] Q: What did you do at Bet Trang Worksite? A15: I did rice field work. [...] Q: In what year did you work at Bet Trang Worksite? A40: In 1976 [...] A41: [...] for one year. [...] A42: I pulled out and transplanted rice seedlings, tilled land, and carried dirt. [...] A45: There were hundreds of workers [at Bet Trang worksite]. Q: How many kitchens were there at that worksite? A46: I did not count the number of kitchens, but each kitchen was huge with approximately two to three hundred people. Workers were not allowed to walk around. Food was cooked and taken to us at the rice fields"]; **D114/83** Sok Neang WRI, A21 ["Q: Did your battalion join in building the dam in Bet Trang? A21: I know that this location was behind the Pou Thoeu[n]g Dam. I know this location because we also went to transplant and harvest rice in the vicinity of that dam"]; **D114/53** Uk Sok WRI, A110, 112 ["[The witness's children's unit] was part of the cooperative called Pu Thoeung cooperative. [...] A112: The adolescents and young adults were assigned to transplant rice seedlings [in that cooperative] and we received milled rice monthly"]; **D54/89** Kuy Nen WRI, EN 01056712 ["At that time the Khmer Rouge arranged the workforce [at Babos Village] into three groups for dam construction, ploughing, and transplanting"], EN 01056716 ["members of a unit of the Khmer Rouge military known as the Demobilisation Unit were sent to work in the rice fields with civilians in this area [near Tuek Sab]"]; **D54/35** Brak Sokha WRI, A17 ["There [Kang Keng area], we [members of the witness's mobile unit] were ordered to cultivate rice and raise dams until the end of 1977."]; **D114/6** Yin Teng WRI, A88-89 ["They had me transplant rice [in Pou Thoeung Village] [...] A89: [...] I harvested rice somewhere near Kang Keng Airfield."]; **D114/121** Suon Phar WRI, A22, 24 ["On the day they disbanded us, they gave each of us one hoe before they sent us to work around Kang Keng Airport. Mainly we dug soil and built dikes for the women's unit to transplant rice seedlings. [...] A24: Approximately 200 to 300 soldiers from my unit were demobilised. They gave each of us a hoe to dig soil and build dikes. However, I did observe other groups of men carrying bundles of rice and women transplanting rice seedlings"]; **D114/58** Som Saom WRI, A48 ["I was assigned to grow rice over there near Kang Keng in 1977"]; **D114/156** Soeng Noch WRI, A21 ["Q: What did they assign your children's unit to do? A21: They had us clear forests and pick up ripe coconut fruits. After that, they had us harvest rice in a cooperative [in Ream]"]; **D11/388** Nap Somaly CPA, EN 01073730 ["Later on, the village chief [of Andoung Thma Village, Preah Sihanouk City] Yak held a meeting to organise

elderly men and women and the mobile youth units to build canals, dams and to farm rice. At the time, my family and I were ordered to join the elder unit to plough and rake rice fields as required by the senior echelon *Angkar* [...] A unit chief named Mat [...] sent my forces to work in Bet Trang. When they arrived at Bet Trang worksite, they started to pull and transplant rice seedlings”].

2730 **D1.3.27.18** DK Military Meeting Minutes of Meeting, *Minutes of Meeting of Secretaries and Logistics [Chiefs] of Divisions and Regiments*, 19 Sep 1976, EN 00195351. See also **D1.3.27.22** DK Military Meeting Minutes, *Minutes of the Plenary of the brigade/division committees/commanders*, 21 Nov 1976, EN 00656390 [“Please look for the higher ground and build the water reservoir on it so that the water can be flown down. In the zone of Division 164, you can build this because there are mountains”].

2731 **D114/239** Sao Men WRI, A12, 45 [“Q: Do you still remember the total number of people working at Bet Trang Worksite? A12: There were many people, hundreds of people. The queue of people waiting to get their meals was very long. [...] Q: Approximately how many workers were there at Bet Trang Worksite? A45: There were hundreds of workers”]; **D114/243** Thork Sen WRI, A99 [“Q: How many people worked at Bet Trang Dam worksite? A99: Hundreds of people”]; **D114/139** Nguon Lay WRI, A106 [“Q: Did you see people working at that place? A106: Yes, I did. I saw many people there; there could have been hundreds or thousands of people. [...] I saw them working”]; **D54/90** Kuy Nen WRI, A41 [“About 800 to 1,000 people worked on the project”]; **D2/6** Nhoung Chrong WRI, A26 [“people throughout the Kang Keng area, about 500 to 600, had been gathered up to work there [dam construction project]”; **D54/18** Nou Saroeun WRI, A13, 15, 16 [“Q: Did the Khmer Rouge force people to work at the Au Prai Dam? A13: Yes. They had the people and mobile unit members work there, but I did not join in because I was in a children’s unit [...] A15: [...] they collected a lot of people from various cooperatives, army and mobile units to work following their designated plan [...] A16: I estimate that there were hundreds of people, because I saw the site was full of people in black uniforms”]; **D114/109** Prum Sambath WRI, A194 [“there were a great number of workers from my unit and other units”]; **D114/243** Thork Sen WRI, A99 [“Q: How many people worked at the Bet Trang Dam worksite? A99: Hundreds of people.”]; **D114/40** Moul Chhin WRI, A21 [“Q: You said 300 people worked at that dam. How did you come to know such an exact figure? A21: Because I was there and we worked together. We worked in teams, and each team worked consecutively with each other; therefore I am able to state the number clearly. We not only worked close to each other but also worked face-to-face with each other as well to carry soil to put on both banks of the dam”]; **D114/96** Cheng Laung WRI, A72 [“The number of workers was very significant. There were 200 to 300 workers”]; **D114/156** Soeng Noch WRI, A191 [“Q: How many of them? 50 or 100? A191: About 400 or 500 people”]; **D114/121** Suon Phar WRI (Unit 86, Sector 37), A24 [“Approximately 200 to 300 soldiers from my unit were demobilised. They gave each of us a hoe to dig soil and build dikes. However, I did observe other groups of men carrying bundles of rice and women transplanting rice seedlings”]. See also **D114/83** Sok Neang WRI, A20 [“Q: Did your battalion join in building the dam in Bet Trang? A20: I know that this location was behind the Pou Thoeu[n]g Dam. I know this location because we also went to transplant and harvest rice in the vicinity of that dam”]; **D114/65** Chet Bunna WRI, A16 [“At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Babos”]; **D114/6** Yin Teng WRI, A88, 158 [“They had me transplant rice, dig canals, and carry earth to make dams. [...] I harvested rice somewhere near Kang Keng Airfield [...] A158: They had me carry earth to build dams and had me thresh rice”]; **D54/89** Kuy Nen WRI, EN 01056712 [“At that time the Khmer Rouge arranged the workforce into three groups for dam construction, ploughing, and transplanting”]; **D54/35** Brak Sokha WRI, A17 [“my mobile unit was sent from Preaek Chak to the Kang Keng area where were ordered to work in Praboh and Pu Thoeung Villages north of National Road No 4 and opposite Bet Trang Village. There, we were ordered to cultivate rice and raise dams until the end of 1977”]; **D114/96** Cheng Laung WRI, A69 [“I saw people building the dam”]; **D114/240** Phin Venh WRI, A16 [“there were a lot of people who were working there, including children”]; **D114/244** In Yoeu WRI, A21 [“My work was only to build the canal and carry earth”]; **D114/6** Yin Teng WRI, A87-89 [“Q: Were you at Pou Thoeung Village at that time? A87: Yes. Q: What did they have you do? A88: They had me transplant rice, dig canals, and carry earth to make dams. Q: What dams did you build? A89: I worked on Pou Thoeung Dam, Puthte Dam and I harvested rice somewhere near Kang Keng Airfield”]; **D114/121** Suon Phar WRI, A22 [“On the day they disbanded us, they gave each of us one hoe before they sent us to work around Kang Keng Airport. Mainly we dug soil and built dikes for the women’s unit to transplant rice seedlings”]; **D114/244** In Yoeu WRI, A18 [“The production unit built a canal and carried earth”]; **D114/244** In Yoeu WRI, A18 [“The production unit built a canal and carried earth”]; **D114/156** Soeng Noch WRI, A37, 99 [“they had me

- plant potatoes and dig canals [...] A99: If we finished picking the coconut fruits, they had us dig a canal measuring ten metres long and five metres wide, and two metres deep”].
- 2732 **D114/40** Moul Chhin WRI, A17-18 [“All the soldiers who worked in Kampong Som were under the administration of Division 3. The soldiers who worked there were demobilized soldiers, and they were advanced in age. [...] A18: It started operating after the 1975 liberation when a number of older soldiers were demobilized”].
- 2733 **D54/91** Kuy Nen WRI, A3, 5 [“The Khmer Rouge soldiers destroyed the entire temple in Wat Bet Trang Pagoda to get the iron needed to build this bridge. That story is true. I am not exaggerating [...] A5: Many people were sent by the Khmer Rouge soldiers to destroy the temple. They talked about it, but I do not remember their names”]; **D114/4** Mom Meng WRI, A7 [“At that time, the temple was roofless because it had been broken up or dismantled”]; **D54/19** Nou Saroeun WRI, A3 [“I heard from the older people that the Khmer Rouge soldiers had completely demolished the temple in the pagoda and taken the iron for use in dam construction [...] After the Khmer Rouge regime collapsed, I went to see that pagoda and saw that the temple had actually been demolished”]; **D54/18** Nou Saroeun WRI, A12 [“The Khmer Rouge settled in Pu Thoeng Village after 1975. In Bet Trang/Pu Thoeng Village, the Khmer Rouge destroyed a pagoda by taking its iron to build bridges and floodgates at what is called the Bet Trang Dam”].
- 2734 **D114/39** Moul Chhin WRI, EN 01079212 [“The witness explained that that place was a place for casting metal tools and pots during the Khmer Rouge regime”]; **D114/40** Moul Chhin WRI, A13, 16, 18 [“Q: You led us to Wat Bet Trang Pagoda and told us that this pagoda was used for smelting metal and aluminium to make pots during the Khmer Rouge regime. How did you know about this? A13: I knew about this because I always travelled across the pagoda compound in order to go to work at Preaek Chak Worksite. [...] A16: [...] They used that place for smelting iron and other metals to make pots, pans and other materials. [...] A18: [...] The metal smelting place was located in Wat Bet Trang Pagoda and operated until 1979”].
- 2735 **D114/239** Sao Men WRI, A29 [“They worked at Cheng Heng’s coconut plantations in Ong Village”]; **D114/242** Prak Bunny WRI, A9, 17 [“In 1975, I was 12 years old. I was gathered to work at a coconut plantation in Ream with many other children. [...] A17: At that time, in the morning, they had us climb coconut trees to pick coconuts”]; **D114/156** Soeng Noch WRI, A21, 99, 184 [“Q: What did they assign your children’s unit to do? [...] A21: They had us clear forests and pick up ripe coconut fruits. [...] A99: If we finished picking the coconut fruits, they had us dig a canal. [...] Q: Were there any civilians working in the coconut plantation? [...] A184: There were no civilians there. Apart from me, there were other small children”]; **D54/41** Or Saran WRI, A19, 25 [“My battalion was stationed at a coconut plantation in Cheng Heng and near Kang Keng airport. [...] A25: There was no other unit stationed nearby. Though we were soldiers, we were assigned to do farming at the coconut plantation”]; **D114/243** Thork Sen WRI, A9, 51 [“When I was at the coconut plantation, the unit chiefs were Ta An and Ta Phong. [...] A51: At Ream, the coconut plantation”]; **D114/117** Nav Sokhan WRI, A60, 92 [“They sent me to Chamkar Daung Cheng Heng Farm and ordered me to collect coconuts there. It was a big farm. [...] A92: Among 40 people, 10 were supervisors and 30 ordinary workers worked on the plantation”].
- 2736 **D114/94** Sam Vuthy WRI, A71, 74 [“We were divided into four or five groups. My group was in charge of taking the earth to put into the mould machine to make tiles. Another group took the tiles to dry; and another group took the dried tiles to arrange in a kiln; and another group put firewood into the kiln. [...] Q: Where was the tile-making place? A74: It was near Smach Daeng, on the road halfway between Daeng to Ream. It was called the Heng Cheng coconut plantation, Chamkar Doung Heng Cheng”]; **D114/156.1** Soeng Noch WRI Annex: Sketch of Places, EN 01197078.
- 2737 **D114/79** Kang Sum WRI, A166 [“I remained in the Navy, but I was transferred to a quarry to break seven cubic metres stone of per day in Au Mlou, near the Cheng Heng Coconut Plantation”].
- 2738 **D114/34** Nap Somaly WRI, A70 [“Q: What did they have you do at Bet Trang? A70: They had cut trees to build a rice storage hall”]; **D114/179** Snguon Chhum WRI, A19 [“Q: Where was your charcoal-making unit? A19: At the orange plantations in Bet Traing”]; **D54/90** Kuy Nen WRI, A12 [“While I was in Babos cooperative, I was assigned to build houses, halls, and Bet Trang Dam, to plough, and to fish to support the soldiers at Tuek Sap and Babos Cooperatives”]; **D114/96** Cheng Laung WRI, A20 [“The Khmer Rouge assigned me to grow vegetables”]; **D114/239** Sao Men WRI, A8, 42 [“I farmed in this village in 1975 and 1976. [...] A42: I pulled out and transplanted rice seedlings, tilled land, and carried dirt”]; **D54/105** Ek Ny WRI, A16 [“As for our work conditions, they had dig earth, transplant rice seedlings, carry rice sheaves and plough”]; **D114/76** Svay Sameth WRI, A21 [“I, alone, was ordered to Kang Keng where I did farming”]; **D114/242** Prak Bunny WRI, A32 [“sometimes they had us cut down the forest”]; **D114/53** Uk Sok WRI, A39

["The children as young as six or seven stayed at home, while more mature children were assigned to carry bundles of *tuntrean khèt* plants [in the cooperative in Pu Thoeung Village]"]; **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970702 ["My daily work was to lead people to work on the rice field and to make fertilizer"].

2739 **D114/31** Moul Chhin WRI, A118 ["Q: Could you or others refuse to follow their assignments? A118: Absolutely not. Do not argue. Do as they ordered"].

2740 **D114/31** Moul Chhin WRI, A119.

2741 *See, e.g.,* **D114/109** Prum Sambath WRI, A172 ["Q: Were the workers in Kang Keng, Bet Trang and Smach Daeng the same people? A172: Yes they were. All of them worked at the rice fields in these areas"]; **D114/156** Soeng Noch WRI, A66, 192, 198-199 ["The battalion office was always there; it was never changed. However, they sent companies to help people with farming. [...] A192: They were from the coconut plantation and cooperatives in the vicinity. [...] A198: I lived there for only two or three days. Then, I moved to other places. [...] A199: I was assigned to build dams and dig canals"]; **D54/36** Brak Sokha WRI, A4, 17 ["The total number of people in the unit varied as at some point some were sent to be detained at Teuk Sap. At other time people were sent into the unit. [...] A17: My mobile unit also worked on the southern side of national road number 4. We worked in the vicinity of Kang Keng air field and near Teuk Sap. We also built a dam in Bobos village. It was called Bobos/Aur Pray/Bet Trang dam"]; **D114/96** Cheng Laung WRI, A72 ["The labour forces were gathered from other villages and taken to work at the dam construction site. For example, there were 100 people sent from Babos Village and approximately 200 from Bet Trang Village"]; **D114/179** Sngoun Chhum WRI, A58-59: ["All the people in Pu Thoeung cooperative were assigned to build the dam. [...] A59: At first, they mobilized people from all cooperatives to build the dam"]; **D114/34** Nap Somaly WRI, A67 ["Q: Do you remember the year that you went to Bet Trang? A67: I do not remember. I only went there for a short time. Sometimes I went there for one week or sometimes only two or three days. I was moved here and there"]; **D54/121** Lin Sarin WRI, A10 ["I was sent to work here and there, not to one specific site"]; **D114/239** Sao Men WRI, A10 ["I was in a mobile unit, working in Put Te, Kokir, Pu Thoeang, and Babos. I worked for a few days at one worksite and for a few days at another worksite"]; **D54/18** Nou Saroeun WRI, A15, 17 ["they collected a lot of people from various cooperatives, army and mobile units to work following their designated plan. [...] A17: [My parents] did farming at the cooperative, but they were also assigned to carry dirt to build the dam"]; **D114/83** Sok Neang WRI, A21 [Worker from Smach Daeng states "we also went to transplant and harvest rice in the vicinity of [Bet Trang] dam"]; **D2/6** Nhoung Chrong WRI, A24, 26-27, 31-32 ["The Regiment 22 initiated the dam construction project. The people working there included ordinary people, the production unit people, and the military troops. [...] A26: [...] The people throughout the Kang Keng area, about 500 to 600, had been gathered up to work there"]. *See also* **D114/6** Yin Teng WRI, A88 ["They had me transplant rice, dig canals, and carry earth to make dams"]; **D114/53** Uk Sok (worked in the children's unit in Pu Thoeung Village from October 1975 to October 1976, and from 1977 to 1978) WRI, A57-58, 216-217 ["[the children's unit] was located in Pu Thoeung Village, about three kilometres from the national road. Q: Which national road? A58: National Road 4. [...] Q: So was the rice field that you went to transplant seedlings near Kang Keng airport? A216: Yes, it covered hundreds of hectares of land on both sides of the national road. Q: What was its location in relation to the airport? A217: It was next to and around the airport"].

2742 **D114/109** Prum Sambath WRI, A172; **D114/6** Yin Teng WRI, A23-25 [Lived in Tham Thum for 6-7 months before being sent to Pou Thoeung Village: "When I was living in Thma Thum Village, I was assigned to grow and was sometimes sent to dig canals in Pou Thoeung Village"].

2743 **D114/53** Uk Sok WRI, A57-60 ["Q: Where was the unit located? A57: It was located in Pu Thoeung Village, about three kilometres from the national road. Q: Which national road? A58: National Road 4. Q: Who was the commander of the girls' unit? A59: Sat, female. Q: Were all women who looked after those children members of a women's unit? A60: No, they were not part of any women's unit. The unit chief Sat was transferred from the all-female military unit"]; **D114/239** Sao Men WRI, A62 ["Q: Did you ever work with the Khmer Rouge soldiers who came to work in mobile units? A62: Yes, I did. They pulled out and transplanted rice seedlings like us. They worked in the same mobile unit with us. In a group of 12 members, there were two to six of them working with us"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 14.16.09-14.19.37 ["We lived together, I and the 17 April People lived together at Bo Bos (phonetic), Put Te (phonetic) and Kokir (phonetic). We worked there together. And I was with the units working. And those people whom I lived with and were considered bad element like me, were doing their best so that they could be reinstated. And I told the Court already this morning about those 17 April People. They were trucked out to be

- executed”]; **D114/297.1.20** Pak Sok T. 16 Dec 2015, 14.16.09-14.19.37 [“We lived together, I and the 17 April People lived together at Bo Bos, Put Te and Kokir. We worked there together”].
- 2744 **D114/6** Yin Teng WRI, A160 [“Q: Did you volunteer to do the work, or were you forced to do it? A160: Even if I told them that I had stomach pain, they still forced me to work”]; **D114/243** Tork Sen WRI, A13 [“Q: Did you want to go work in the coconut plantation? A13: No, I did not. I was separated from my parents and I felt lonely”].
- 2745 **D114/94** Sam Vuthy WRI, A80-81 [“They did not let me go anywhere [...] A81: they did not allow us to leave our place”]; **D114/3** Lak Saphan WRI, A7 [“we could not walk around freely”]; **D114/121** Suon Phar WRI, A33 [“Q: Were you allowed to leave quarters or your workplace? A33: No. When we worked, we could not leave work or we would have been arrested”].
- 2746 **D114/239** Sao Men WRI, A8 [“We had to go wherever we were sent to”].
- 2747 **D114/179** Snguon Chhum WRI, A47.
- 2748 **D114/3** Lak Saphan WRI, A7 [“Every morning the chief of my unit, Sary, took us directly to the work place. In the evening they brought us straight back to the village”].
- 2749 **D54/90** Kuy Nen WRI, A19. *See also* **D54/123** Lak Saphan WRI, A2 [“They did not allow us to walk freely at night unless there was an order for us to carry out some assignment such as dam building or putting up rice field dikes”]; **D114/117** Nau Sokhan WRI, A126 [“Q: Could you walk freely? A126: No, I could not”].
- 2750 **D114/94** Sam Vuthy WRI, A102; **D114/96** Cheng Laung WRI, A21-22 [“At that time, my living conditions were like in the prison [...] A22: I was not allowed to go anywhere”]; *see also* **D114/179** Snguon Chhum WRI, A26 [“During that regime, it was as if they measured the distance that we were permitted to walk within. We could not even walk from our village to another village”].
- 2751 **D114/109** Prum Sambath WRI, A139. *See also* **D114/242** Prak Bunny WRI, A82-83 [“I heard from my chiefs that they were soldiers who were politically incorrect [...] A83: At that time, those prisoners were taken to the detention office in Tuek Sap”].
- 2752 **D114/121** Suon Phan WRI, A39. *See also* **D114/31** Moul Chhin WRI, A116 [“They came and asked for me several times at my parents’ house. Eventually, they put me in jail. However, because they knew me, they did not beat me in prison. Escape from Preaek Chak worksite was rare. It was strictly controlled. Anyone who tried to escape and was captured was killed immediately”].
- 2753 **D114/6** Yin Teng WRI, A35-36 [“It was the village chief himself who ordered each person to dig one cubic metre of soil per day. [...] A36: There were a lot of assigned tasks. For example, four people were supposed to finish harvesting one hectare of rice per day. Another example is that each person was supposed to finish planting twenty beds of sweet potatoes per day. Four people were supposed to finish planting forty beds of white potatoes per day”]; **D114/244** In Yoeu WRI, A29 [“Q: Were you monitored whilst you were working in Kang Keng? A29: The upper echelon set specific work quotas for each person and we had to finish it within that day”]; **D234/2.1.64** Neak Yan CPA, EN 00445712 [“[They] had to plant rice up to one hectare per day”]; **D54/20** Sam Saom WRI, A14 [“I was assigned to dig 20 square metres of land per day by using a hoe”]; **D114/79** Kang Sum WRI, A175 [“Q: Can you describe the living conditions in Au Mlou? A175: At the break of dawn, they set a quota for us to break seven cubic metres of rocks per day”]; **D114/6** Yin Teng WRI, A90 [“Q: Could you elaborate on the rice harvest activities somewhere near Kang Keng Airfield? A90: They assigned each of us to harvest 2 hectares of rice, in one and a half days”]. *See also* **D114/83** Sok Neang WRI, A26 [“Q: Could you refuse to work at that time? A26: [The witness laughed]. They had their plan. They ordered us to complete work according to their plan. Then, they checked our work performance. The commander of my Company checked our work. We all habitually bore in mind that if we were healthy, we had to go to work. If someone was sick, they did not force her to work, but this was also subject to time. When we did not have much work, we could have a lot rest, but in the harvest season we had to work hard”].
- 2754 **D114/240** Phin Venh WRI, A19 [“Q: What was the size of the workload that they assigned for the children to do each day? A19: They assign a lot of work. They set a number of cubic metres of earth to carry. They measured a plot of land with a size of 110 metres long and 10 metres wide and they ordered the children to finish digging and carrying that amount of earth each day”]; **D114/156** Soeng Noch WRI, A98 [“At the meetings they said, “Angkar has set a quota. Each person has to pick up 200 ripe coconut fruits per day.” If we could not fulfill that quota, they would punish us by putting us to stand under the scorching sun or under the rain, or they would assign us to do hard labour”].
- 2755 **D54/36** Brak Sokha WRI, A12 [“During the time that we were building a dam in Babos village, each of us had to carry three cubic meters of earth each day. For canal digging each of us also had to carry three cubic meters”]; **D114/40** Moul Chhin WRI, A20 [“Q: While at the dam, you told us that was the place you

mentioned in your previous interview, where you said you were ordered to carry three cubic metres of soil per day [...] Is it correct to say that what you mentioned in those answers refers to the location of the dam and other places, namely rice fields, around that dam? A20: Yes, it is"; **D114/40** Moul Chhin WRI, A22 ["Q: You said 10 people among the 300 people were ordered to guard the dam every night. Were they allowed to rest the next day? Or were they ordered to complete their allotted target of 3 cubic metres per day as they did each other day? A22: The next morning, those 10 people had to work as usual; they were not allowed to take any rest"]; **D54/90** Kuy Nen WRI, A42 ["Each person was assigned to carry two to three cubic metres of soil per day"]; **D114/31** Moul Chhin WRI, A112 ["We had to be very clear about our work in order to complete the assigned task – three cubic metres a day per person"].

2756 **D54/18** Nou Saroeun WRI, A15 ["As I remember, the dam was completed within two or three months because they collected a lot of people from various cooperatives, army and mobile units to work following their designated plan. Their plan was divided into phases. For example, each group had to build 20 meters of the dam within ten days. Each person had to carry a five cubic meters of dirt per day"]; **D54/90** Kuy Nen WRI, A42 ["Each person was assigned to carry two to three cubic metres of soil per day"]; **D114/109** Prum Sambath WRI, A198 ["The allocation was that each person was supposed to dig one-square-metre section of earth per day"]. See also **D114/156** Soeng Noch WRI, A196 ["They assigned a group to dig 10 cubic metres of earth per day"].

2757 **D54/97** Khoem Yat WRI, A10 ["Twenty five people were assigned to hoe (instead of ploughing) one hectare of soil per day"].

2758 **D114/117** Nav Sokhan WRI, A95 ["We were ordered to work from 7.00a.m. to 12.00p.m. and we had to collect 1,000 coconuts in the mornings. We continued working from 1.00p.m. to 7.00p.m., and we had to collect 600 coconuts in the evening"].

2759 **D114/79** Kang Sum WRI, A166, 230 ["I remained in the Navy, but I was transferred to a quarry to break seven cubic metres stone of per day in Au Mlou, near the Cheng Heng Coconut Plantation [...] Q: [...] In 1976 what happened to you? A230: I was in Au Mlou in the vicinity of Kang Keng Airport"].

2760 **D54/18** Nou Saroeun WRI, A15 ["Their plan was divided into phases. For example, each group had to build 20 metres of the dam within ten days"].

2761 **D114/240** Phin Venh WRI, A21-22 ["Q: What happened if we could not accomplish the task? A21: When we could not finish it, they put pressure on us. Q: What kind of pressure did they put on you? A22: They pushed us to finish. If we could not finish, they did not allow us to take a rest"]. See also **D114/156** Soeng Noch WRI, A98 ["At the meetings they said, 'Angkar has set a quota. Each person has to pick up 200 ripe coconut fruits per day.' If we could not fulfill that quota, they would punish us by putting us to stand under the scorching sun or under the rain, or they would assign us to do hard labour"].

2762 **D114/6** Yin Teng WRI, A38 ["They scolded. 'You did not finish the assigned tasks are wasteful and do not pay attention. If you cannot complete the assigned tasks today you will get no food: there is no need for you to get food or water'"].

2763 **D114/31** Moul Chhin WRI, A112. See also **D114/109** Prum Sambath WRI, A156 ["Q: What happened to those who did not complete the work quota? A156: They were sanctioned. Their food rations were reduced"].

2764 **D54/36** Brak Sokha WRI, A12.

2765 **D114/156** Soeng Noch WRI, A98 ["At the meetings they said 'Angkar has set a quota. Each person has to pick up 200 ripe coconut fruits per day.' If we could not fulfil that quota, they would punish us by putting us to stand under the scorching sun or under the rain, or they would assign us to do hard labour"].

2766 **D54/18** Nou Sarouen WRI, A15.

2767 **D114/243** Thork Sen WRI, A111 ["Q: Why did they beat people? A111: They just beat us to make us work"].

2768 **D54/18** Nou Saroeun WRI, A19 ["Q: Do you remember who guarded the labourers there? A19: Khmer Rouge soldiers"]; **D114/6** Yin Teng WRI, A168 ["I saw soldiers monitoring us during working hours"]; **D114/31** Moul Chhin WRI, A122 ["We were under constant surveillance so they could learn if we conducted any activities opposed to the regime or if we attempted to flee"]; **D114/109** Prum Sambath WRI, A173 ["Q: Did Sector 35 soldiers guard the three areas? A173: Yes, they did"]; **D114/135** Nub Phorn WRI, A30 ["they guarded and inspected us to see whether or not we did our work"]. See also **D114/194** Sorn Sot WRI, A64 ["Those chiefs, who supervised our work, always stayed on the paddy dikes"]; **D114/69** Kuy Sambath WRI, A4 ["I could identify that the armed cadres were in charge of the work"]; **D114/6** Yin Teng WRI, A92-93 ["Two guards closely monitored me harvesting rice [...] A93: Each of them had an AK rifle"].

2769 **D114/96** Cheng Laung WRI, A69 ["I can say that the people who worked at the dam construction worksite worked in hardship, for they had to work day and night. I could see the people working from my place, and I

could see this very clearly because there were no trees blocking my vision”]. *See also* **D114/6** Yin Teng WRI, A161 [“Q: When you were in Kokir Village, from what time until what time did they have you to work? A161: From 6a.m. to 5p.m.”].

2770 **D114/6** Yin Teng WRI, A107 [“Q: Did you work every day when you were at Pou Thoeung? A107: Yes. I worked from 6 a.m. to 6 p.m.”]; **D114/96** Cheng Laung WRI, A24 [“We could not complain at all, nor could we have any holidays. That is, we had to work even on Sundays”]; **D114/121** Suon Phar WRI, A35-36 [“There was no break. We worked all week every month [...] A36: We were not allowed to visit family or take leave”]; **D114/135** Nub Phorn WRI, A38 [“While you were in your mobile unit and living collectively, were you allowed rest days? Did you ever rest or go to visit your family? A38: No”].

2771 **D114/31** Moul Chhin WRI, A113 [“Generally we started work from 5 a.m. to 11 a.m. Then we had a break. We resumed work from 1 p.m. until 6 p.m.”]; **D54/90** Kuy Nen WRI, A19, 42 [“We started working at 4 a.m. and came back home at 7 p.m. or 8 p.m. [...] A42: They collected the workforce at 4 a.m. and divided them into groups and then sent them to work at their respective places. We stopped to eat lunch at 11 a.m. People brought lunch to be distributed to us at the worksite. We resumed work immediately after lunch and worked until 6 or 7 p.m.”]; **D54/36** Brak Sokha WRI, A12 [“We woke up at 4 a.m. and we had exercise until 7 a.m. We then left for work and continued working until 11 a.m. The cook brought the food to the worksite. We resumed our work at 1 p.m. and continued working until 5 p.m.”]; **D54/120** Prom Kem WRI, A3 [“In my cooperative, they rang a bell once at 9 a.m. for the children to eat lunch. They rang a bell once again at 11 o’clock to have the adults eat, but the children did not get anything else to eat. They rang a bell once again at 4 p.m. to have the children eat the evening meal. As for the adults, they ate at 5 or 6 p.m.”]; **D114/239** Sao Men WRI, A43 [“In the morning we worked from 6.00 a.m. to 11 a.m. Then we had a lunch break before we resumed working again from 12.00p.m. to 6.00p.m.”]; **D114/240** Phin Venh WRI, A51 [“I worked for 12 hours a day. I worked from 6a.m. to 11a.m. and then we took lunch break before we started working from 1p.m. to 6p.m. Afterwards, we had dinner”]; **D114/243** Thork Sen WRI, A34, 103 [Regarding children at coconut plantation “After breakfast, I started work from 7.00 am to 11.00 am. Then I started again from 1 p.m. to 5 p.m. That is all for the daily tasks. At night, we had to keep guard too” [...] A103: At the dam: “I worked from 6.00 am to 11.00 am and then continued from 1.00 pm to 5.00 pm.”]; **D54/20** Sam Soam WRI, A14 [“I was assigned to dig 20 square metres of land per day by using a hoe. The daily work started from 7am - 11 am and 1 pm - 5pm, with a one hour break in between”]; **D114/89** Seng Sin WRI, A80-81 [“We worked from 0300 to 1100 and then from 1300 to 1800. Sometimes we worked overtime until 2100. Q: How many people were assigned to work those hours? Was the whole unit assigned to work those hours? A81: Yes, it was”]; **D114/156** Soeng Noch WRI, A68 [“We would get up again at about 4.00 a.m.”]; **D114/53** Uk Sok WRI, A229 [“Q: What were the regular working hours at the [Kang Keng] worksite? A229: They started from 7.00 a.m. to 11.00 a.m. and from 1.00 p.m. to 5.00 p.m.”]; **D114/86** Chet Bunna WRI, A12 [“We worked from 0500 or 0600 to 1100, and we resumed at 1230. We would continue working until 1700”]; **D114/121** Suon Phar WRI, A23 [“We started working around 7.00 a.m. We worked until 5.00 p.m.”]; **D114/6** Yin Teng WRI, A107 [“Q: Did you work every day when you were at Pou Thoeung? A107: Yes. I worked from 6 a.m. to 6 p.m.”]; **D114/242** Prak Bunny WRI, A37, 60 [“At 7.00 a.m., they let us have breakfast. After breakfast, we were told to work until 11.00 a.m. In the afternoon, we resumed our work from 2.00 p.m. until 5.00 p.m. [...] A60: As I mentioned earlier, we started working at 6.00 a.m. and finished it at 11 a.m. We resumed our work from 1.00 p.m. to 5.00 p.m.”]; **D114/109** Prum Sambath WRI, A150 [“We were assigned to work between 7.00 a.m. and 11.00 a.m. and between 1.00 p.m. and 5.00 p.m.”]; **D114/6** Yin Teng WRI, A29 [“I worked from 7 a.m. to 12 p.m. Then I had a lunch break. We resumed working from 1 p.m. to 5 p.m.”]; **D114/135** Nub Phorn WRI, A27 [“Everyone had to get up at 5.00 a.m. After that we had porridge for breakfast at 5.30 a.m. and we had to walk about fifteen minutes to a field about one or two kilometres from where we lived”].

2772 **D114/156** Soeng Noch WRI, A68 [“Sometimes we started work at 3:00 a.m. because the worksite was far away”].

2773 **D114/94** Sam Vuthy WRI, A75-77 [“Q: What time did you start working in the morning? A75: I worked from 7.00 a.m. to 11 a.m. and started again from 1.00p.m. to 5.00p.m. Q: What did they have you do between 11.00a.m. and 1.00p.m.? A76: They let us rest. Q: And after 5.00p.m.? A77: That was also a break time. But occasionally, when a lot of firewood had been transported there, we had to carry the firewood into the kiln”]; **D114/6** Ying Teng WRI, A47 [“If we could not complete the work as planned, then we were forced to work until 9 p.m. or 10 p.m. to complete the work”]; **D114/243** Thork Sen WRI, A34 [“At night, we had to keep guard too. I guarded in case any thieves came. Sometimes, when we did not guard regularly, we were beaten.

By ‘not guarding regularly’, I mean that I was sometimes sleepy”]; **D114/89** Seng Sin WRI, A80 [“We worked from 0300 to 1100 and then from 1300 to 1800. Sometimes we worked overtime until 2100”]; **D54/105** Ek Ni WRI, A16 [“We got up at 5.30 a.m., saluted the flag and had a stand-up meeting. At 6 a.m. they gave each of us a piece of yam and started work from 6.30 a.m. until 11 a.m. Then we had lunch break. We resumed work from 1 p.m. to 6 p.m. After that, we had dinner break. From 6.30 p.m. or 7 p.m. until 8 p.m. or 9 p.m., we grew vegetables such as cassava and other crops around houses. During that time, they were strict with us”]; **D114/40** Moul Chhin WRI, A21-22 [“Ten people were selected from amongst the 300 to guard the dam at night. They rotated the 10 guards on a daily basis. [...] A22: The reason they ordered us to guard the dam was because there was much water in the dam, and we had to be able to quickly report to our overseers so that they could open the water gate and let the water out if the water level became too high. This prevented the dam from being breached”]; **D11/388** Nap Somaly CPA, EN 01073730 [“At nights we carried sheaves and fertilized the fields until 11p.m.”].

2774 **D114/121** Suon Phar WRI, A35 [“Q: How many days did you work a week? A35: There was no break. We worked all week every month”].

2775 **D114/40** Moul Chhin WRI, A31 [“Q: Did you ever see people fainting due to sickness and/or people who were exhausted while they were working at that dam? A31: Yes, I did. Because they were so tired, some people collapsed. We had to work until we collapsed, because then other people would carry us to rest in a hut”]; **D114/31** Moul Chhin WRI, A117 [“They forced the people [to] work until they could no longer walk”]; **D114/135** Nub Phorn WRI, A39 [“Q: Did you want to do that work? A39: No, I did not want to, but I did not have a choice”]; **D114/6** Yin Teng WRI, A99-100 [“I saw many people collapse. [...] A100: They only got a small amount of rice, not enough, and there was not much food. Therefore they collapsed unconscious during work”].

2776 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714. *See also* **D114/6** Yin Teng WRI, A160 [“Q: Did you volunteer to do the work, or were you forced to do it? A160: Even if I told them that I had stomach pain, they still forced me to work”].

2777 **D114/31** Moul Chhin WRI, A117 [“They forced the people [to] work until they could no longer walk. They slept on mats. Sick people who could not work were taken to be killed. The slogan was ‘To keep you is no gain. To remove you is no loss!’”]; **D54/36** Brak Sokha WRI, A15 [“Q: Why and how did you try to stay alive? A15: I simply followed the order so that I could live. Whatever work that was assigned to me I had to complete it”]; **D114/40** Moul Chhin WRI, A30 [“Q: While we were identifying the location, you said that even when it was raining, you and other people were still required to work; you laboured in the mud and carried wet soil. Those who were sick did not dare to take a rest nor complain, and they had to work until they had completed their target because if they dared to complain, they would be killed. Is that correct? A30: Yes, it is”]; **D54/18** Nou Saroeun WRI, A15 [“Only those who could fulfil the task remained alive. Those who were lazy, sick, or opposed to carrying dirt were removed and vanished. I do not know where they were taken”]; **D114/96** Cheng Laung WRI, A15 [“I saw the wrongdoers, including those who were lazy to work and secretly took rests from work, taken to be killed”]; **D114/117** Nau Sokhan WRI, A107 [“Q: If you did not go to work, who would send you to be re-educated? A107: A man whose name I did not know would send us to be re-educated. The truth was that they would not take us to be re-educated, but they would take us to be killed. [...] People who were sent to be re-educated never returned. They told us that the people who were taken to be re-educated were killed”]; **D114/156** Soeng Noch WRI, A110-111 [“Q: Did you or anyone else ask them why you had to continue working there for such a long time? A110: At that time, no one dared ask them. Everyone tried to preserve his/her own life. Q: Why did people not dare ask them? A111: Because the Khmer Rouge would take them to be killed”]; **D114/121** Suon Phar WRI, A33 [“Q: Were you allowed to leave quarters or your workplace? A33: No. When we worked, we could not leave work or we would have been arrested”].

2778 **D54/97** Khoem Yat WRI, A36.

2779 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970714 [“Yes, we had to make [a] report. When we saw someone making a mistake, we reported about him/her [to the leader] so that he/she would be called to be reeducated. If someone was sick, he/she had to report to the unit chairperson so that the unit chairperson could give him/her some medicines to take. We could not just rest at home and claimed to be sick. We stayed in the unit”].

2780 **D114/242** Prak Bunny WRI, A100, 103.

2781 **D114/6** Yin Teng WRI, A104.

- 2782 **D54/36** Brak Sokha WRI, A15 ["Q: Why and how did you try to stay alive? A15: I simply followed the order so that I could live. Whatever work that was assigned to me I had to complete it"].
- 2783 **D114/6** Yin Teng WRI, A103.
- 2784 **D114/6** Yin Teng WRI, A39.
- 2785 **D54/36** Brak Sokha WRI, A13.
- 2786 **D114/121** Suon Phar WRI, A23 ["Later they sent me to break rocks at Steung Hav"]; **D114/65** Chet Bunna WRI, A16 ["I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at Steung Hav"]; **D114/83** Sok Neang WRI, A8 ["In late 1977, we were sent to Stung Hav"]; **D114/79** Kang Sum WRI, A230 ["I was in Au Mlou in the vicinity of Kang Keng Airport. I was there from mid-1975 to 1978, and then I was moved to Steung Hav"]; **D54/36** Brak Sokha WRI, A22-23 ["For serious offence prisoners they were sent to Teuk Sap. For light offense prisoners they were sent to Stueng Hav for tempering. [...] A23: I did not know the reason. I simply knew that it was Angkar's plan to send me to Steung Hav"]; **D54/35** Brak Sokha WRI, A17 ["In 1977, but I do not remember the exact date, my mobile unit was sent from Preaek Chak to the Kang Keng area [...] At that point in time, they told us we would be sent on to Stueng Hav"]; **D54/8** Dol Song (member of Regiment 22 stationed at Kang Keng) WRI, A22 ["My Regiment 22 was stationed at Kang Keng Airport. Our workplaces were around that airport. Later, in around early 1976, I left Regiment 22 and moved to Regiment 140 in Ream. Later in that same year, 1976, I was sent to Stueng Hav"]; **D114/79** Kang Sum (member of Battalion 31, Regiment 310) WRI, A230, 286 ["Q: [...] In 1976 what happened to you? A230: I was in Au Mlou in the vicinity of Kang Keng Airport. I was there from mid- 1975 to 1978, and then I was moved to Steung Hav. I was in Au Mlou for three months. [...] Q: After mid-1976 where did you go? A286: I was sent to Steung Hav"]; **D114/244** In Yoeu WRI, A42 ["Q: Were there any members who were removed from the production unit in Kang Keng? A42: Yes, we were moved to Stueng Hav"]; **D114/109** Prum Sambath WRI, A211 ["Q: When were you sent to Stung Hav to work? A211: I was sent there about three months before the arrival of the Vietnamese troops"]; **D54/97** Khoem Yat (member of Company 120, Battalion 2, Regiment 52, Sector 22) WRI, A10 ["Later they sent me to Stueng Hav. We worked there for about half a year. They had us carry rocks from a cave that they planned to make into a warehouse"]; **D54/105** Ek Ny WRI, A17 ["I worked at Kang Keng until mid-1978. Then I was sent to work at Stueng Hav to break rock to be used for construction of Tumnob Rolok Dyke and a port for combat ships"].
- 2787 **D54/36** Brak Sokha WRI, A2 ["We were told that we were to be transferred from the unit to be placed in a mobile unit at Prek Chak because our unit contained no-good elements and that we had to be sent for tempering"]; **D54/26** Pak Sok WRI, A14 ["Aroung the middle of 1976, I was considered to [be] a suspicious no-good element and was removed from Koh Poulo Wai Island and put to work at a paddy field"]; **D54/33.1** Y Chhon DC-Cam Statement, EN 01073812 ["being sent to a mobile unit meant being subdued"].
- 2788 **D114/66** Chet Bunna WRI, A19 ["Whenever there was anyone in the not-good-element had made a mistake, he/she would be sent to be detained at Teuk Sap"]; **D114/89** Seng Sin WRI, A92-93 ["At that time, if there were people who were considered criminals, they would be sent to a prison. [...] A93: It was at Toek Sap bridge"].
- 2789 **D114/79** Kang Sum WRI, A328.
- 2790 **D114/6** Yin Teng WRI, A112.
- 2791 **D54/43** Lon Seng WRI, A17 ["Praek Chak had been a site where suspicious people were sent for a long time"]; **D114/86** Chet Bunna WRI, A7 ["I was extremely frightened when I heard that my name was on the list. Then, I was ordered to pack my things. In fact, the three of us were not the persons whose names had been mentioned in the interrogation. If our names had been mentioned, we would have been sent to Phnom Penh or Teuk Sab, depending on how serious the case was. We were still considered loyal. However, we were deemed suspicious"].
- 2792 **D54/43** Lon Seng WRI, A19 ["That production unit was comprised of thousands of former military officers who were regarded as 'bad elements'"].
- 2793 **D2/6** Nhoung Chrong WRI, A28 ["Those soldiers [who were sent to work at Bet Trang Dam] were from all different units under the Regiment 22. When they had any problems or bad trends, they were removed from the Regiment and put in the production unit"].
- 2794 *See, e.g.,* **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.46.19-10.49.49 ["I was considered as a suspected element, an unclean element in the unit. So they removed me and sent me to the rice field near the orange plantation"]; **D54/26** Pak Sok WRI, A14 ["Around the middle of 1976, I was considered to a suspicious no-good element and was removed from Koh Poulo Wai Island and put to work at a paddy field near the durian, coconut, and oranges plantations for two months. [...] At the time twelve military personnel regarded as

suspicious elements were staying with me”]; **D114/66** Chet Bunna (Division 3 soldier sent to work at Kang Keng in 1977) WRI, A19 [“At that time, in the Division 164 there were three units which were classified as the not-good-element units. Among those three units, two were the Battalion 20 and 21 and another unit was the Company 19. These three units consisted of soldiers who were classified as the not-good-element”]; **D54/36** Brak Sokha WRI, A1-2 [“The Khmer Rouge considered me a no-good element [...] A2: [...] We were told that we were to be transferred from the unit to be placed in a mobile unit at Prek Chak because our unit contained no-good elements and that we had to be sent for tempering”]; **D54/35** Brak Sokha WRI, A14 [“In the [witness’s] mobile unit were former soldiers of Division 164 who were considered to be no-good elements. This mobile unit was under Division 164. The unit was sent to work in an area called Preaek Chak Village, about two kilometres east of Ream Port”]. *See also* **D114/66** Chet Bunna WRI, A19 [“After being removed from the unit, I was classified as a not-good-element”].

D54/104 Ek Ni WRI, A3 [“Vet was in the army, stationed in Kang Keng Airport, but he was arrested. I did not know if Vet is alive or dead, but I believe that he is dead because Ta Mut held a meeting and said about confessions. Ta Mut announced that Vet was traitorous”]; **D54/117** Meas Saran WRI, A20 [“Most of the people sent to Put Te Cooperative were considered to be involved [with traitors]. The cooperative was located along the estuary at Tuek Sab Bridge, Kampong Som”]; **D114/53** Uk Sok WRI, A148 [“near my place [Pu Thoeung Village], I knew that there were traitors, and they just disappeared”].

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 10.41.42-10.45.27 [“In 1976-1977, I used to live somewhere near the orange plantation because I was linked to an unclean tendency”].

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 14.09.06-14.11.49 [“people who were assigned to that mobile unit had light offences, because they were linked to political tendency, that means, the old element of former Lon Nol regime”].

D54/117 Meas Saran WRI, A20.

D54/43 Lon Seng WRI, A19.

D54/36 Brak Sokha WRI, A11.

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 15.05.58-14.14.44 [“Q: So those who had bad biographies, in particular those who had relatives who had worked as servicemen for the Lon Nol regime, who had been Lon Nol officials, were cast aside. So what did that mean? Were they set aside? Were they taken away? Do you know where these people went? And do you know what happened to them? A: In Division 164, to what I knew, there was a mobile unit namely, ‘Ta Chhay Unit’. Those who were linked to bad elements would be put in one group. For instance, if I had parents, had a father who was linked to American CIA, ‘Yuen’s’ or KGB agents, then, I was no longer trusted. Subsequently, I would be removed into a mobile unit which was tasked with working the fields near Bo Bos (phonetic), to the north of Kang Keng and Smach Daeng. That was the place to house those who were linked to the tendency of former regime. [...] There were great numbers of people, 400 or 500, within that mobile unit or Ta Chhay unit or production unit”]; **D54/35** Brak Sokha WRI, A14, 17 [“In the mobile unit were former soldiers of Division 164 who were considered to be no-good elements. This mobile unit was still under Division 164. The unit was sent to work in an area called Preaek Chak Village about two kilometers east of Ream Port [...] A17: In 1977, but I do not remember the exact date, my mobile unit was sent from Preaek Chak to the Kang Keng area, where we were ordered to work in Praboh and Pu Thoeung Villages north of National Road No. 4 and opposite Bet Trang Village”]; **D54/36** Brak Sokha WRI, A16-17 [“I was in Battalion 20. Serious offenders were placed in that battalion [...] A17: My mobile unit also worked on the southern side of national road number 4. We worked in the vicinity of Kang Keng air field and near Teuk Sap”]; **D114/40** Moul Chhin WRI, A23-24 [“Q: Who did you and the other people report to when working at the dam? A23: At that time, we had to report to Koeun, a regimental commander in Division 3. Q: Can you tell us the number of this regiment? A24: This regiment had no number. Koeun was the unit chief who had the aforementioned 300 people under his command. It was a mobile unit whose members were demobilized soldiers from Division 3”]; **D114/65** Chet Bunna WRI, A16 [“At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Babos. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry where I worked until the Vietnamese arrived”]; **D114/89** Seng Sin WRI, A62-63 [“Q: Did Meas Muth tell you why your weapons were seized and you were sent to work in the production unit? A62: I think it was because they assumed that our superior was a traitor. [...] A63: [...] Meas Muth just claimed they [the witness’s superiors] were traitors”]; **D54/43** Lon Seng WRI, A19 [“That production unit was comprised of thousands of former military officers who were regarded as ‘bad elements’”]; **D114/66**

Chet Bunna WRI, A19 ["At that time, in the Division 164 there were three units which were classified as the not-good-element units. Among those three units, two were the Battalion 20 and 21 and another unit was the Company 19. These three units consisted of soldiers who were classified as the not-good-element"]; **D2/6** Nhoung Chrong WRI, A28 ["Those soldiers were from all different units under the Regiment 22. When they had any problems or bad trends, they were removed from the Regiment and put in the production unit"]; **D54/113** Leang Bea (Division 164 soldier sent to grow rice in Kang Keng) WRI, A99 ["Q: Why do you know they were sent to Kang Keng? A99: I heard that those in trouble would be taken to work at the production unit"]. See also **D114/79.1** Kang Som DC-Cam Statement, EN 01123286 ["Q: Were the people who were tasked with farming rice in that area civilians or soldiers? A: They were soldiers of Division 164. They were tasked with farming on the farmlands from the Cheng Heng Coconut Plantation to the Teuk Sab Bridge"].

D54/36 Brak Sokha WRI, A2.

D114/31 Moul Chhin WRI, A92. See also **D114/31** Moul Chhin WRI, A100 ["At the end of 1977, and the entire former division was completely demobilised"]; **D114/65** Chet Bunna WRI, A16 ["At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Babos. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav rock quarry where I worked until the Vietnamese arrived"].

D54/43 Lon Seng WRI, A17.

D54/36 Brak Sokha WRI, A5 ["Q: Were some people released from that unit at any point and sent to work in Division 164? A5: None. Anyone who was sent to that unit was never released"]. See also **D114/79** Kang Sum WRI, A233 ["Q: At a certain point of time were you reassigned to work in the Khmer Rouge military? A233: No, I wasn't. I was removed throughout the end of the Khmer Rouge regime"].

D114/121 Suon Phan WRI, A29 ["I remember that when I was a soldier, they took it once. When I was working on the island, they took my biography again. When I was working at Kang Keng Airport, they took my biography again, and they took my biography yet again while I was working at Steung Hav"].

D114/297.1.20 Pak Sok, T. 16 Dec 2015, 10.46.19-10.49.49, 15.05.58-14.09.06.

D54/44 Lon Seng WRI, A19.

D54/44 Lon Seng WRI, A19, 22 ["Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Mut, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division [...] Q: Were you in that training meeting where the East Zone soldiers were announced as bad-element soldiers? A22: Yes, I also attended that meeting"].

D1.3.8.4 DK Military Meeting Minutes, *Minutes of the meeting of comrades 164*, 9 Sep 1976, EN 00657355.

D54/44 Lon Seng WRI, A19, 22 ["Q: How did you know that those 1500 soldiers from the East Zone were placed in the big production unit? A19: The chief of the division, Meas Mut, announced in a meeting that all soldiers who came from the East Zone were regarded as bad-element soldiers; therefore, they had to be removed completely from the division [...] Q: Were you in that training meeting where the East Zone soldiers were announced as bad-element soldiers? A22: Yes, I also attended that meeting"].

D54/102 Ek Ni WRI, A1 ["At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed, we were not allowed to possess even a knife. Each of us was allowed to have only a hoe. After that, Meas Mut came to hold a meeting with us in Koki village near the Kang Keng airfield where thousands of former soldiers of Battalion 386 and those of other units were attending. In the meeting, Meas Muth read the confessions of the traitors to us. He counted the names of the traitorous cadres from the Centre level down to the local base level"]; **D114/89** Seng Sin WRI, A56, 60-61 ["Q: You said that there was another meeting after you reached the mainland. When and where did the meeting take place? A56: We stopped in Kang Keng Airport and had a meeting there, in the morning. Meas Muth was the meeting chairperson [...] A60: The meeting was about Norng Chhan who was the Deputy Commander of Division 164 who was accused of being the traitor. Meas Muth read Norng Chhan's confession out loud in the meeting. [...] A61: He did not talk about anything else. He sent us to work in a production unit after the meeting"].

D114/89 Seng Sin WRI, A61 ["Q: What else did Meas Muth talk about? A61: He did not talk about anything else. He sent us to work in a production unit after the meeting. In this unit we were treated like prisoners because we did not have any weapons. We were made to do farming like ordinary people"].

D54/36 Brak Sokha WRI, A2, A11 ["Former East zone soldiers were also in the mobile unit with us. They were accused of being traitors. [...] A11: There were between 50-60 East Zone people"]; **D54/26** Pak Sok

WRI, A33 ["After Dim was arrested, those East Zone military personnel were arrested one after another. [...] I think that those East Zone military who had been arrested might have been taken to be killed at that killing site too, but I am not sure"]; **D54/44** Lon Seng WRI, A6 ["Before 1977, I was still in Kampong Som. I knew that 1500 soldiers from the East Zone were disarmed and sent to the Big Production Unit in Putth"]; **D54/97** Khoem Yat WRI, A10, 41 ["At that time both the East group and the Southwest group were all gathered up because it was heard that our commander Dim had also been arrested on charges of treason. After they arrested Dim, they continued to arrest the lower-ranking personnel [...] A41: In my company, most of them came from the East Zone, especially the chairman of the platoon and the company. They disappeared before I was taken to Kang Keng Airport. Sometimes they even took the group leaders too. The people I knew from the group leader to the platoon and company commanders had all disappeared when I arrived at Kang Keng Airport. I noticed that about 200 to 300 soldiers came to work at Kang Keng airport"]; **D2/16** Touch Soeuli (Marine Unit soldier at Ochheuteal) WRI, A21 ["Q: You told us two days ago that not all the East Zone troops disappeared forever, but some were taken to do rice farming, is it right? A21: Yes, it is right. I knew that some troops were removed and taken to do rice farming in the areas near the Kang Keng Airfield"].

2815 **D114/109** Prum Sambath WRI, A75, 78-79, 101, 109-110, 135, 137 ["In 1977, they said that Sector 317 betrayed them, and they said that the commander and deputy commanders betrayed them. Therefore, Thoeun killed himself with a grenade. [...] Q: Do you remember when they were accused? A78: It was before I was sent to land on 7 July 1977. At that time, they disarmed the soldiers in Sector 37. [...] A79: They were assigned to work in farming in Smach Daeng. [...] A101: They ordered me to farm rice in Smach Daeng. [...] Q: Were they in your former battalion unit? A109: Yes, they were. The battalion was from Sector 37. Q: Were the commander and deputy commanders included? A110: Yes, they were. [...] Q: When you were sent to Smach Daeng in July 1977, were all the battalion commanders and the regiment battalions sent there? A135: Yes, they were. [...] Q: Did they remain your commanders or ordinary soldiers? A137: They were removed from their positions"]; **D114/121** Suon Phan WRI, A21 ["Q: Do you know why they demobilised your unit and sent you to grow rice at Kang Keng Airport? A21: [...] I heard that cadres from Sector 37 had collaborated with the enemy"].

2816 **D114/297.1.20** Pak Sok T. 16 Dec 2015, 14.04.29-15.05.58 ["Soldiers were scrutinised by filling the biography of personal details. For example, I myself had relatives and a father who had been a former soldier. So for those who were linked to the former Lon Nol soldiers were removed from the division or from military units"], 14.09.06-14.11.49 ["On the other hand, people who were assigned to that mobile unit had light offenses, because they were linked to political tendency, that means, the old element of former Lon Nol regime"]; **D54/36** Brak Sokha WRI, A1 ["Q: Why were you considered a no-good element and subsequently placed in a mobile unit? A1: It's because my uncle and grandfather were former Lon Nol soldiers. [...] The Khmer Rouge considered me a no-good element due to this implication, though I personally did not do anything wrong"]; **D114/76** Svay Sameth WRI, A21 ["I didn't know why I was sent to Keng Kang. I assumed that I was suspected for I had some relatives who used to work as soldiers under the former regime. That was the most difficult time for me"]; **D114/77** Svay Sameth WRI, A43 ["Q: What about you? Did they obtain your biography? A43: Yes, they did. I also had this document which was sent to the higher levels. It was never sent back. And after that, I heard that there were soldiers who went to meet my family and cross-checked my biography. I was told that they went to cross-check my biography. The Division knew that my second cousin and two other cousins had been the Lon Nol's soldiers"]; **D54/43** Lon Seng WRI, A19 ["I was in danger as well at the time because one of my uncles was a major in the former air forces under the Sihanouk and Lon Nol regimes, but I concealed my background completely"]. *See also* **D114/96** Cheng Laung WRI, A60-61, 75 ["The Khmer Rouge came to record my background. They asked me what I had done and where I lived. [...] A61: For example, if anyone had worked as a Lon Nol soldier did not hide his or her background, he or she would be taken out [...] A75: Some of them were honest. Upon recording people's backgrounds, the Khmer Rouge told the people to tell the truth. Some told what they had done under the previous regime, so the Khmer Rouge took them out"]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 0971213 ["Q: What was your mistake which led to your removal and being sent to the mobile unit? Was there anything wrong with your family? A: The reason behind my removal related to the killing of my father. They accused my father of having a connection with the enemy. At that time I even did not know what year they had taken my father to be killed. Q: Because *Angkar* had taken your father to be killed, you must be removed from the soldier? A: Yes, they took him to be killed in [19]73, and I did not know about that until 75 – oh, in 77 at the time of my removal"].

2817

D54/36 Brak Sokha WRI, A2 ["In that mobile unit, there were also former members of Battalion 310 who were deployed to fight at Koh Tral and were arrested by the Vietnamese. Upon their transfer from Vietnam they were sent to the mobile unit"]; **D114/79** Kang Sum WRI, A158, 164-168 ["the Vietnamese released us and sent us back [...] A164: We were no longer trusted. [...] A165: They said that we came from Vietnam. They feared that the Vietnamese had educated us and we had already become KGB or Vietnamese agents. [...] A166: I was transferred to a quarry to break seven cubic metres stone of per day in Au Mlou, near the Cheng Heng Coconut Plantation. I was assigned to work far from the Competent Unit. Q: What is the name of the quarry? A167: It was called the Au Mlou at Kang Keng Airport. Q: Were all the soldiers of your Regiment who had been released ordered to break rocks there? A168: Yes, they were"]; **D114/79.1** Kang Som DC-Cam Statement, EN 01123281 ["At dawn we were all arrested and tied up [by the Vietnamese]"], EN 01123283 ["It's too bad that after we returned home we were not very much welcomed by our mates. [...] [M]embers of my unit were relocated to different places"], EN 01123285 ["Q: You were no longer trusted because you were arrested and detained by the Vietnamese. Is that correct? A: Yes, it is. [...] In what Division were you assigned to work? A: I was assigned to work in the same Division 164. I was not removed. I was sent to Au Mlou to tell people to transplant rice and arrange the rice fields like a chessboard lines. I was no longer allowed to carry [a] gun"]; **D54/43** Lon Seng WRI, A15, 17 ["Q: Do you know [anything] about Battalion 310 which was sent to fight on Koh Tral Island, taken prisoner by Vietnamese troops and later released and sent back to Division 164? A15: Well, I did hear about the incident [...] The Vietnamese troops took prisoner all the military officers of Battalion 310 and sent them to Koh Tral Island. [...] Q: According to information we have, after they had been released, the former military officers of Battalion 310 were sent to join mobile units working at Preaek Chak located next to Kang Keng airport, because they were considered suspicious people. Were you aware of this? A17: Well Preaek Chak had been a site where suspicious people were sent for a long time. Military officers from different units were sent there not only those from the Battalion 310"]. See also **D54/105** Ek Ny WRI, A4-5 ["Q: Did you ever hear if there were Battalion 310 soldiers who were arrested by the Vietnamese later released and returned to Division 164? A4: Yes, I heard of this event. Those Khmer Rouge soldiers were arrested on Koh Poulo Wai Island, but later they were released and returned to Cambodia. [...] Q: Did you know what happened to former Battalion 310 soldiers after they were merged with Division 164? A5: [...] those soldiers were deployed to different islands"]; **D114/194** Sorn Sot WRI, A73 ["When the Vietnamese troops arrested them, they sent them to Koh Tral Island. After being sent to Koh Tral Island, they were sent back via Kep and were all sent to my place [near Kang Keng Airfield] to cultivate rice. They were no longer trusted. They were perceived to have been indoctrinated by Vietnamese troops after they had been detained. They did not allow them to be in the army again"]. See also **D114/187** Touch Soeury WRI, A55 ["At that time all the soldiers on both islands, both the Koh Poulo Wai Islands, big and small, were captured because we did not have forces to assist nor marine vessels. All the soldiers from Unit 450 were captured by Yuon troops and taken to Yuon Land, and it was only in 1976 that there was a prisoners of war exchange, but I do not remember the month"].

2818

D54/43 Lon Seng WRI, A17 ["Military officers from different units were sent there, not only those from the Battalion 310. Some military officers who had a bad consciousness or did not have absolute determination were sent to Preaek Chak as well"]; **D114/239** Sao Men WRI, A60 ["Q: You have said that some Khmer Rouge soldiers also came to work in mobile units. Do you know where they came from? A60: I do not know where they came from, but I heard that they came from Chhuk, and from Takeo"]; **D54/36** Brak Sokha WRI, A2 ["Also in that [mobile] unit there were '17 April people' who were evacuated from Kampong Som"].

2819

D114/31 Moul Chhin WRI, A89-90 ["Later the troops were demobilised and our unit was transformed into a production unit tasked with farming, raising rice field dykes, and digging canals. Q: Why did they demobilize your unit? A90: They accused us of being enemy links because our battalion, regimental commanders had all been arrested and shot dead"]; **D54/20** Sam Saom WRI, A14 ["Khoeun, the commander of my Company 42 on Koh Tang Island [...] may also have died because I have never seen him again. After the first disappearances, when the upper-echelon called the commanders of the other companies for re-education, those chiefs also disappeared like the others. [...] I went to do labor work at Kang Keng airport for one month. It was difficult work"]; **D54/113** Leang Bea WRI, A95-96 ["When a group chief had been arrested, his subordinates would be sent to grow rice. Q: Where would they be sent to grow rice? A96 In Kang Keng and Babos village in the vicinity of Kang Keng"]; **D114/135** Nub Phorn (demobilised soldier sent to Kang Keng worksite in 1976) WRI, A5, 19 ["Q: Do you know why you were demobilised? A5: I do not know what had happened up above. My commanders were sent to study and disappeared. We ordinary soldiers were transported to the mainland and brought into mobile units to farm rice [...] A19: Around 60-100 soldiers in

my company were demobilised, but I do not know how many soldiers were demobilised from other units. We were demobilised after they removed our commanders. They stopped trusting us. They had us join the mobile units at Kang Keng to grow rice”; **D114/89** Seng Sin WRI, A47, 62-63 [“A meeting was held first. Then our weapons were confiscated. Then we were sent back to the mainland. [...] Q: Did Meas Muth tell you why your weapons were seized and you were sent to work in the production unit? A62: I think it was because they assumed that our superior was a traitor. Q: Did Meas Muth talk about traitors during the meeting? A63: [...] He talked about Norng Chhan and my two superiors. [...] Meas Muth just claimed they [the witness’s superiors] were traitors”].

2820 **D114/79.1** Kang Som DC-Cam Statement, EN 01123291.

2821 **D54/97** Khoem Yat WRI, A29.

2822 **D114/135** Nub Phorn WRI, A5.

2823 **D54/113** Leang Bea WRI, A95.

2824 **D114/89** Seng Sin WRI, A71-72, 78 [“After the meeting, we were simply sent [to] work in the production unit. Q: Where was the production unit based? A72: It was based about three kilometres from the meeting place at Kang Keng Airport, in Pra Bok Village [...] Q: Could you describe your work in the production unit? A78: At that time, I grew rice and other crops depending on the season”; **D54/43** Lon Seng WRI, A17, 19 [“[N]obody was trustworthy because, sometimes, I saw the officers who used to be in the battalion working in the production unit instead [...] A19: [...] in Puth Te Village, located to the north of National Road No.4 across the road from Kang Keng airport. Division 164 assigned a production unit, a so-called big production unit, to be stationed there”; **D114/244** In Yoeu WRI, A17, 27-28 [“I was in the production unit in Kang Keng, Smach Daeng. Living in Kang Keng after a short time, our authorities were removed from Sector 37. We were separated and our weapons were removed. [...] Q: How many members were there in your group? A27: I cannot describe all of the members in my group. There were about 100 people in one unit. There were 12 people in one group. Q: How many units were there in Kang Keng? A28: There were three production units”; **D114/113** Koem Men WRI, A170-172 [“They said that there were mobile units at Kang Keng and Smach Daeng. I learnt that the production units were based there. Q: Who told you about this? A171: When I went to attend a meeting, people who were in the car told me about Smach Daeng and Kang Keng. Q: Do you mean when you were going to attend a meeting in Kampong Som? A172: Yes, I do”. **D114/121** Suon Phan WRI, A20, 24 [“There they demobilized our unit before I was sent to grow rice at Kang Keng Airport. When they demobilized us, they issued a hoe to each of us. [...] A24: Approximately 200 to 300 soldiers from my unit were demobilised”; **D2/6** Nhoung Chrong WRI, A28 [“When they had any problems or bad trends, they were removed from the Regiment and put in the production unit”. See also **D114/65** Chet Bunna WRI, A16 [“At the beginning of 1977, I was removed and sent to the Production Unit. My Production Unit was called Battalion 20. I was assigned to build dam and dig canal for four months in the areas of Smach Deng and Babos. After that they sent me to tend the water buffalos and plow rice paddy. I had worked in that place until September 1978 before I and my Battalion 20 were sent to break rock at the Steung Hav”; **D54/113** Leang Bea WRI, A99 [“I heard that those in trouble would be taken to work at the production unit”; **D54/26** Pak Sok WRI, A14 [“Around the middle of 1976, I was considered to be a suspicious no-good element and was removed from Koh Poulo Wai Island and put to work at a paddy field near the durian, coconut, and oranges plantations for two months. [...] At the time twelve military personnel regarded as suspicious elements were staying with me”].

2825 **D54/45** Lon Seng WRI, A13-16 [“Q: At the beginning, you mentioned that these 1500 soldiers were sent to the big production unit in Putth. When was that meeting, which talked about sending these soldiers to Putth, held? A13: This meeting was held as soon as the East Zone soldiers arrived at our division. The higher level said that, ‘We do not know if they are good or bad because the higher level just sent them here. So, we could only accept them.’ Later, those soldiers were sent to the big production unit in Putth. Q: How long after the meeting were those soldiers sent to the big production unit in Putth? A14: It was about one year later. Q: Who made a decision to send those soldiers to the big production unit in Putth? A15: I am not sure about that, but I think the decision was made by the chief of the division Meas Mut. Q: Besides [Meas] Mut, was there anyone else in the division who had the authority to make such decisions? A16: No, there was not”. See also **D54/45.2** Administrative Map of the Geographical and Road Network Sihanouk Vill Province, KH 00967555 [showing big production unit located in Bet Trang]; **D54/43** Lon Seng WRI, A19 [“I want to talk about another site in Puth Te Village, located to the north of National Road 4, across the road from Kang Keng airport. Division 164 assigned a production unit, a so-called big production unit, to be stationed there. That production unit was comprised of thousands of former military officers who were regarded as ‘bad

elements”]; **D114/89** Seng Sin WRI, A166 [“most of those working in the production unit were from Unit 386”]; **D54/44** Lon Seng WRI, A14 [“The organisational structure in the Big Production Unit was the same as those in the military units”]; **D54/45** Lon Seng WRI, A17 [“Q: Under which division's or regiment's supervision was the big production unit? A17: The big production unit was under direct supervision of Division 164”].

2826 **D54/113** Leang Bea WRI, A99.

2827 **D54/44** Lon Seng WRI, A14 [“The organisational structure in the Big Production Unit was the same as those in the military units. The structure started from the unit level”].

2828 **D114/194** Som Sot WRI, A68.

2829 **D114/86** Chet Bunna WRI, A7, 11 [“There were about 20 to 30 people in the truck when I was taken to the [Kang Keng] airport. [...] A11: I am sure that they were the soldiers of Division 164. At that time, a driver and a few other people came to escort us. All of them, including the driver, were armed”].

2830 **D114/89** Seng Sin WRI, A45, 47 [“they only wished to disarm my unit, but they also disarmed all the other units because they were interconnected. After our weapons were seized, we were sent back to the mainland. [...] A47: A meeting was held first. Then our weapons were confiscated. Then we were sent back to the mainland [from Koh Tang Island]”]; **D114/224** In Yoeu WRI, A17 [“After the fall of Phnom Penh in 1975, I was in the production unit, Sector 37 in Krong Preah Sihanouk. I was in the production unit in Kang Keng, Smach Daeng. Living in Kang Keng after a short time, our authorities were removed from Sector 37. We were separated and our weapons were removed”]; **D54/102** Ek Ni WRI, A1 [“At that time they had removed all troops of Battalion 386 from their positions and sent them to the Production Unit. After we had been disarmed, we were not allowed to possess even a knife. Each of us was allowed to have only a hoe”].

2831 **D54/105** Ek Ny WRI, A16 [“I received less food [rations] than when I was at the military front line”].

2832 **D114/135** Nub Phorn WRI, A19 [“We were demobilised after they removed our commanders. They stopped trusting us. They had us join the mobile units at Kang Keng to grow rice”].

2833 **D114/79** Kang Sum WRI, A90.

2834 **D54/33** Ing Chhon WRI, A13 [“The soldiers at that time were ordered to do rice cultivation with the people”]; **D54/89** Kuy Nen WRI, A25 [“the Demobilisation Unit were sent to work in the rice fields with civilians in this area. Those demobilised military personnel worked under the surveillance of armed guards”].

2835 **D114/86** Chet Bunna WRI, A5, A12.

2836 **D54/89** Kuy Nen WRI, A25 [“Those demobilised military personnel worked under the surveillance of armed guards”].

2837 **D114/109** Prum Sambath WRI, A173 [“Q: Did Sector 35 soldiers guard the three areas? A173: Yes, they did”]; **D114/135** Nub Phorn WRI, A30 [“they guarded and inspected us to see whether or not we did our work”]. *See also* **D114/194** Som Sot WRI, A64 [“Those chiefs, who supervised our work, always stayed on the paddy dikes”].

2838 **D54/97** Khoem Yat WRI, A32 [“They assigned good elements people to manage us. They said we were traitorous”].

2839 **D114/109** Prum Sambath WRI, A182.

2840 **D54/97** Khoem Yat WRI, A35 [“Q: Why did you say that the networks of Meas Muth were good elements? A35: Because they could move around freely. They could go to Phnom Penh; but for us, we constantly stayed wherever they placed us”].

2841 **D114/94** Sam Vuthy WRI, A44-46 [“Q: Among those sent there were there any people who were originally from there or those who had been evacuated to that area or what? A44: We were all new people. Q: What did you mean by new people? A45: The new people were called the 17 people who had been evacuated from Phnom Penh. Q: The 17 people meant the 17 April people. A46: Yes”]; **D114/94** Sam Vuthy WRI, A91-92 [“Q: Did Ta Loan tell you why you had been sent to work in the group? A91: He said had been sent here to temper and build ourselves. Q: Why did you have to build yourselves? A92: Because we were new people”]; **D54/36** Brak Sokha WRI, A2 [“Upon their transfer from Vietnam they were sent to the mobile unit. Former East zone soldiers were also in the mobile unit with us. They were accused of being traitors. Also in that unit there were ‘17 April people’ who were evacuated from Kampong Som”]; **D114/297.1.20** Pak Sok T. 16 Dec 2016, 10.49.49-10.51.34 [“I knew about the 17 April People in Kokir village, Smach Daeng, Put Te, they withdrew from Ream and Kang Keng and sent them to Kokir village in Smach Daeng [...] In the end of 1977, I knew about this because I was assigned to farm rice with these 17 April People”].

- 2842 **D54/36** Brak Sokha WRI, A2, 6, 11 ["Also in that unit there were 17 April people who were evacuated from Kampong Som [...] A6: [...] There were some 17 April people who were Khmer Krom and were placed in that mobile unit [...] A11: There were [...] 30-40 17 April people"].
- 2843 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.49.49-10.51.34 ["I knew about the 17 April People in Kokir village, Smach Daeng, Put Te, they withdrew from Ream and Kang Keng and sent them to Kokir village in Smach Daeng. I knew about what was happening in 1977. In the end of 1977, I knew about this because I was assigned to farm rice with the 17 April People. But in a later stage, when I did my rice farming with these people I noticed that there were disappearances of them one after another and I suspect this. I was curious why these people no longer came to join the workforce. I asked a soldier who was responsible for herding the ducks, on a road located near the Kokir village. Since I knew this person, I asked him 'I noticed the disappearances of those people who worked with me, where were they sent to?' The soldier told me clearly that, 'Those 17 April People were transported two or three trucks and killed at Se-I execution site.' This is the true story"], 14.16.09-14.19.37 ["We in fact lived and worked together with those bad-element people. One by one, they disappeared from time to time. Seeing their disappearance, I asked a person who was assigned to watch ducks, and I was told that two truckloads, or three truckloads of the 17 April People were sent away and killed"]; **D54/26** Pak Sok WRI, A28-29 ["I got to know of these killings when I was placed into the no-good elements. I was ordered to work at a paddy field in this Ream area, as I have informed you earlier. I was placed to work with base people in that area. Later on I did not see any of the people whom I used to normally work with. I asked the military who were minding ducks there about the disappearance of those people, and why I did not see them come to work. Those soldiers told me that all the 17 April people had all been killed [...] A29: According to what I was told by those military personnel, about three truckloads of people were taken to be killed there"]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 14.16.09-14.19.37 ["We in fact lived and worked together with those bad-element people. One by one, they disappeared from time to time. Seeing their disappearance, I asked a person who was assigned to watch ducks, and I was told that two truckloads, or three truckloads of the 17 April People were sent away and killed"].
- 2844 **D114/69** Kuy Sambath WRI, A1.
- 2845 **D54/36** Brak Sokha WRI, A6-7 ["There were some 17 April people who were Khmer Krom and were placed in that mobile unit. After four or five months the Khmer Krom people were sent to Teuk Sap. The Khmer Krom people were not kept for long in that mobile unit. [...] A7: Khmer Krom people were placed in other units. I knew some of them who were in my unit. I can recall Thach Bin, Lam Sik and Lam Sanh (they were siblings). I recall their names since they were in my squad and were subsequently sent to Teuk Sap after four or five months being with me. Whoever was sent to Teuk Sap never survived"].
- 2846 **D54/36** Brak Sokha WRI, A10 ["Q: Why the Khmer Krom people were sent to that mobile unit? A10: They were accused by the Khmer Rouge that they had connection with the Yuon as they lived in Vietnam"].
- 2847 See, e.g., **D114/239** Sao Men WRI, A49 ["Q: Do you know where they took your parents to? A49: They said that they transferred my parents to Kaoh Kyang, but my parents never returned"]; **D54/35.1** Prak Sokha DC-Cam Statement, EN 00971212 ["Q: Were any people in your unit disappeared/arrested during that time? A: Yes, there were. Some people in the mobile unit, who had made mistakes, disappeared, and some were taken away to be reeducated at the fresh water area known as Teuk Sap. At that time we only knew that they were taken by Angkar to be reeducated. We did not know where they were really taken to. Q: So, were there people disappearing also? A: Yes"]; **D114/239** Sao Men WRI, A51-52 ["They took a truckload of people to a new worksite at a time. When I arrived in Kampot, I asked the people there where my parents were and they did not know. My parents had both disappeared. Q: You have said that they took a truckload of workers away at one time. How often did they take people away? Did they take people away once a month? A52: It was once every ten days or a fortnight"]; **D114/6** Yin Teng WRI, A26 ["My eldest son lived with me for about two months before he was sent to live in a children's unit. We were told that he was to study. After that, he disappeared"]; **D54/104** Ek Ni WRI, A3 ["Vet was in the army, stationed in Kang Keng Airport, but he was arrested"]; **D54/8.1** DK Military Minutes, *Meeting Minutes of Comrade 164*, 9 Sep 1976, EN 01509242 ["Two Lieutenants have been identified and arrested"]; **D114/121** Suon Phar WRI, A33 ["When we worked, we could not leave work or we would have been arrested"]; **D54/90** Kuy Nen WRI, A17 ["She [Comrade Ri, chairwoman of Babos Cooperative] said that [...] the people arrested from Pu Thoeang Cooperative and other cooperatives would be sent to the durian plantation(s) at Ou Trav and C.I."]; **D1.3.8.4** DK Military Meeting Minutes, *Minutes of Meeting of 164 Comrades*, 9 Sep 1976, EN 00657355 ["Recently one soldier lieutenant [of the former regime] was discovered and arrested"]; **D54/90** Kuy Nen WRI, A43 ["I want to add that at the worksite of that dam and canal, soldiers always came to arrest two or three people every 3 or 4 days. Nobody

knew the reasons for those arrests. Everybody was very afraid because of that situation. Soldiers came to arrest people in broad daylight”; **D114/156** Soeng Noch WRI, A112, 113, 135 [“Q: Did you ever see them taking people to be killed? A112: I used to see them taking people to be killed, but I never saw them kill people. At the eating hall, two members of my group, before dinner, were told to meet their parents who were waiting for them on ox carts at the rear base. They were taken to be killed with their families [...] Q: How many people in your platoon did you see or hear about being taken to be killed? A113: I do not know. There were many people at my place. It was said that they had been sent back to the rear base. They disappeared [...] Q: What were their ages again? A135: They were about 15 or 16 years old. They were the same age as me”]; **D114/86** Chet Bunna WRI, A14 [“If someone committed a mistake, he would be taken to another place”]; **D54/97** Khoem Yat WRI, A10 [“Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything”]; **D114/89** Seng Sin WRI, A102-104 [“Some people in my unit were taken away [...] A103: The Khmer Rouge might have noticed that those people were lazy. Q: How many men were taken away and never came back? A104: There were between four and ten people”]; **D114/3** Lak Saphan WRI, A4-5 [“I have just recalled the story of a member of the Lon Nol navy. During this period, his house was near mine. He was a former three-striper named Chief Venh. He had been based at Ream Naval Base, and was later evacuated to live near my house at Smach Daeng. One night militiamen came to his house and called him and all his family out of the house. When he and his family left the house, his wife told me to help look after her property because they were leaving. When I saw the event I was terrified. My wife and my mother-in-law were also afraid and visibly shaking. We thought that we would be the next to be taken away. As I told you previously, everybody knew that if the Khmer Rouge took you away you were finished. We were terrified for our lives. I can’t remember where they took Chief Venh and his family to because I was too frightened to remember details well. He and his wife disappeared forever. Q: How often did the Khmer Rouge arrest people in Ream and Smach Daeng, where you lived in 1975, before they sent you to Srae Ambel? A5: Arrests occurred every single night. Each time an arrest took place, two or three families were taken away. Since arrests took place every single night, we were constantly afraid, and we always wondered when our turn would come”]; **D114/109** Prum Sambath WRI, A178-179, 217-218 [“those who were caught stealing the food were arrested to be re-educated. Q: What does re-education mean? A179: They re-educated us to be good. They ordered us to go back to work, but they warned us to not steal again. Q: You have mentioned those people were sent to be re-educated. Did you ever see them again? A217: No, I didn’t. They disappeared. Q: How many people were sent to be re-educated? A218: There were three people in my unit”]. *See also* **D114/135** Nub Phorn WRI, A41 [“I was afraid of being punished. They would have accused me of being lazy [if I wanted to quit or refused live there] and would have sent me to another place”]; **D114/156** Soeng Noch WRI, A119-121 [“Nhim was removed from that platoon in 1976. He then disappeared. A120: [...] At that time, many cadres were arrested [...] A121: When they arrested my regiment commander, it was at 7.00 p.m. in 1976”]; **D114/117** Nav Sokhan WRI, A193 [“The men who raped those women killed them in order to destroy the evidence”].

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D54/123 Lak Saphan WRI, A2.

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D114/89 Seng Sin WRI, A102-104 [“Some people in my unit were taken away. [...] A103: The Khmer Rouge might have noticed that those people were lazy. Q: How many men were taken away and never came back? A104: There were between four and ten people”]; **D114/86** Chet Bunna WRI, A14 [“If someone committed a mistake, he would be taken to another place. I did not know where the place was; it could have been Tuek Sab. Rarely did those people who were taken away return. As I have told you, they took away three people from my unit”]; **D54/97** Khoem Yat WRI, A10 [“Some people also disappeared at that time -- they disappeared and never returned -- and none of us dared ask or wonder about anything. At that time, only the lower ranking subordinates were still alive: the leaders all disappeared and never returned”]; **D114/69** Kuy Sambath WRI, A1, 6 [“Some people were punished for minor mistakes. I did not see how the people were punished, but during that time people were taken away and did not return home. They were taken away during the daytime or at night. [...] Q: You have mentioned that those who committed minor mistakes were taken away during the daytime and at night and disappeared. Who took them away? A6: The people included those who came from cooperatives, commune militiamen, young armed people and others who I could not identify. I did not dare to ask them where they were from. Ordinary people were taken away one after another. They were taken away without any explanations, and were not told about their mistakes. Sometimes, they were told that Angkar needed to meet them”]; **D114/156** Soeng Noch WRI, A104 [“Q: If the squad members saw the wrongdoing would they administer punishment? A104: Nothing would happen right there. However, the charged person would be taken away”].

- 2850 **D114/69** Kuy Sambath WRI, A6.
- 2851 **D54/36** Brak Sokha WRI, A14 ["Some people were sent to the hospital and never returned. People working in that hospital said that those patients died and we simply believed what they told us"].
- 2852 **D114/117** Nav Sokhan WRI, A109-10 ["People who were sent to be re-educated were never returned. They told us that people who were taken to be re-educated were killed. Q: Who told you? A110: Khim did"].
- 2853 **D114/6** Yin Teng WRI, A26.
- 2854 **D114/3** Lak Saphan WRI, A4.
- 2855 **D4.1.85** DK Military Meeting Minutes, *Meeting of Secretaries and Deputies of Divisions and Independent Regiments*, 9 Oct 1976, EN 00940340 ["We managed to arrest bandits one after another around Ream's Kang Keng. They were among those who had just gone into the forest recently"].
- 2856 **D1.3.8.4** DK Military Meeting Minutes, *Minutes of Meeting of 164 Comrades*, 9 Sep 1976, EN 00657355 ["On land: Since September, there were some strange activities among people in the Kang Keng base: Example: One piece of water buffalo meat was sliced, stones were put in the brick kiln, and stealing activities have been increasing. Mostly the civilians are good, but there are bad movements in the military. Recently one soldier lieutenant [of the former regime] was discovered and arrested"].
- 2857 **D114/3** Lak Saphan WRI, A5 ["Arrests occurred every single night. Each time an arrest took place, two or three families were taken away"].
- 2858 **D114/3** Lak Saphan WRI, A5.
- 2859 **D54/90** Kuy Nen WRI, A44 ["Q: Did you ever see those arrested by the Khmer Rouge return? A44: No one returned. Only their wives, their widows, remained"].
- 2860 **D114/31** Moul Chhin WRI, A123-124 ["The people were not maltreated or beaten during their work, but every evening a meeting was organised to criticise inactive workers. Each person could be criticised only three times. A fourth criticism would cost them their lives. It was said that 'In the Democratic Kampuchea regime, there are no prisons to hold people, only pits to hold people.' Q: You have just said that they criticised people only three times, and then they were taken for execution. What do you mean? A124: They were killed because they did not reform"]; **D54/18** Nou Saroeun WRI, A15 ["Only those who could fulfil the task remained alive"]; **D114/31** Moul Chhin WRI, A117 ["Sick people who could not work were taken to be killed"].
- 2861 **D54/89** Kuy Nen WRI, A7.
- 2862 **D54/18** Nou Saroeun WRI, A15 ["Only those who could fulfil the task remained alive. Those who were lazy, sick, or opposed to carrying dirt were removed and vanished. I do not know where they were taken"].
- 2863 **D114/31** Moul Chhin WRI, A123 ["Every evening a meeting was organised to criticise inactive workers. Each person could be criticised only three times. A fourth criticism would cost their lives. It was said that 'In the Democratic Kampuchea regime, there are no prisons to hold people, only pits to hold people'"].
- 2864 **D114/6** Yin Teng WRI, A117 ["My nephew, was a messenger for a Khmer Rouge military, cadre, told me that he had heard his commander say that it was no use to keep my husband any longer because my husband seemed disloyal to Angkar"].
- 2865 **D114/179** Snguon Chhum WRI, A63 ["They said that Angkar ordered us to do this or that work; they used only one word, Angkar. Anyone who opposed them was regarded as an enemy and was killed"].
- 2866 **D54/36** Brak Sokha WRI, A15 ["Q: Why and how did you try to stay alive? A15: I simply followed the order so that I could live. Whatever work that was assigned to me I had to complete it"].
- 2867 **D54/89** Kuy Nen WRI, A10 ["They were accused them of committing moral offences because they spoke with women during their work"].
- 2868 **D54/90** Kuy Nen WRI, A5 ["Yes, all the people were very afraid, but some people still made mistakes and were arrested and taken to be killed. When they felt hungry, they dug up potatoes to eat. Even though they had grown those potatoes by themselves, if they dug up the potatoes to eat without permission from the Khmer Rouge, they would be arrested and taken to be killed"].
- 2869 **D54/18** Nou Saroeun WRI, A18 ["Q: Did any of your relatives, family or friends who worked there disappear? A18: None of my family members or friends disappeared while working there, but many of the 17th April people coming from the cities and market towns who had never before done such work disappeared"].
- 2870 **D54/122** Lak Saphan WRI, A12.
- 2871 **D114/1** Ung Chanthea WRI, A19.
- 2872 **D114/1** Ung Chanthea WRI, A19.
- 2873 **D114/1** Ung Changthea WRI, A19.

- 2874 **D54/119** Prom Kem WRI, A1 [“Some villagers were alleged of being Second Bureau spies, secret agents of the Lon Nol regime”].
- 2875 **D54/119** Prom Kem WRI, A1 [“During that time, Bureau 2 was set up by the Lon Nol regime for the purpose of hunting down and arresting the Khmer Rouge. Some villagers were arrested, and they disappeared. Anyone accused of being a Bureau 2 agent or spy disappeared. They were not imprisoned. They disappeared and did not return home”].
- 2876 **D114/179** Sngun Chhum WRI, A43 [“It was probably in late 1975, only a few months after the liberation”].
- 2877 **D114/179** Sngun Chhum WRI, A44 [“I refer to the Khmer Rouge members who were in charge of the cooperative. Thus, ‘they’ included the unit chief, the deputy chief and their members, and the wife of the soldier who implemented the actions”].
- 2878 **D114/179** Sngun Chhum WRI, A40. *See also* A48 [“The Khmer Rouge went to register the names at the houses of those families”].
- 2879 **D114/179** Sngun Chhum WRI, A44 [“Around two months later, those families started to disappear, one after another”].
- 2880 **D114/179** Sngun Chhum WRI, A40. *See also* A41 [“Regarding the one place near my cooperative, around six families disappeared”].
- 2881 **D114/179** Sngun Chhum WRI, A5, 40-41 [summarising prior statement: “Q: At that time, not only Khmer Krom families but also Khmer families were taken away because they had also told the Khmer Rouge that they were originally from Kampuchea Krom. A: Yes, two or three Khmer families were also taken away [...] A40: [...] Two or three families of locals also left with them because they had also registered their names. Around three or four families of people from outside also went away [...] A41: [...] Two other Khmer families, who were originally from that local area, also disappeared. However, at that time, they registered their names as well, because they had heard that they were allowed to go there”].
- 2882 **D114/179** Sngun Chhum WRI, A41.
- 2883 **D114/179** Sngun Chhum WRI, A49 [“If a house was big, five or six families lived in that house. Thus, when the Khmer Rouge called those families to go away at night, other families who lived in the same house were frightened”].
- 2884 **D114/179** Sngun Chhum WRI, A42.
- 2885 **D114/179** Sngun Chhum WRI, A52 [“I remember that some soldiers came to take away those who stayed with me. I heard from my elder brother that thwo soldiers came with the cooperative chairman. However, there were around ten other soldiers behind them, but those soldiers did not show themselves. They came to take those families away”].
- 2886 **D114/179** Sngun Chhum, WRI, A52.
- 2887 **D114/179** Sngun Chhum WRI, A40.
- 2888 **D114/179** Sngun Chhum WRI A17 [“My cousin Sngun Chhum worked and lived in my cooperative”].
- 2889 Although Prom Kem states that Sngun Chhum worked and lived in the same cooperative as him, they appear to identify separate instances of removal of the Khmer Krom, at different time periods: **D54/119** Prom Kem WRI, A7 [“The event took place in 1976”].
- 2890 **D54/119** Prom Kem WRI, A7 [“Cooperative Chairman Laut and his deputy chairwoman Nem, called the Khmer Krom to a meeting and told them to put their hands up and await trucks to transport them back to Vietnam”].
- 2891 **D54/119** Prom Kem WRI, A7.
- 2892 **D54/119** Prom Kem WRI, A7 [“A special military unit also present in the meeting was responsible for registering people”].
- 2893 **D54/119** Prom Kem WRI, A11.
- 2894 **D54/119** Prom Kem WRI, A9 [“The number of people in my cooperative was more than 100, but I do not know the number of people in the other cooperatives”].
- 2895 **D54/119** Prom Kem WRI, A7, 14 [“On the designated day, all those people showed up. Chinese-made trucks with their engines running were waiting for them, but I did not know where they were sent [...] A14: They were dressed in military uniforms—black clothes and horse-manure colored hats”].
- 2896 **D54/119** Prom Kem WRI, A10 [“some disguised themselves as Kampuchea Krom in the hope that they would have a better life”].
- 2897 **D54/119** Prom Kem WRI, A7 [“About three days later, a lorry came back with a pile of clothes, all of which were distributed to the people in the cooperatives. During that time the people were in need of clothes. I could

tell you that if you had given them the choice of either gold or clothes then they would have taken the clothes”].

2898 **D54/119** Prom Kem WRI, A8 [“During that time, we had very few clothes. Because those people had worked with us every day, we were able to clearly recognize each other’s clothes”].

2899 **D54/119** Prom Kem WRI, A7.

2900 **D54/119** Prom Kem WRI, A18.

2901 **D114/69** Kuy Sambath WRI, A9 [“This happened in April or May 1977”].

2902 **D114/69** Kuy Sambath WRI, A1 [“they said that they came from Kampuchea Krom and came forward to tell the truth about their background and had their names registered”].

2903 **D114/69** Kuy Sambath WRI, A1 [“Because we lived in very terrible conditions, the people hoped that they would be sent to Kampuchea Krom, which is part of Vietnam”].

2904 **D114/69** Kuy Sambath WRI, A1.

2905 **D114/69** Kuy Sambath WRI, A10 [“It was announced one day before the arrival of the trucks. I cannot tell you who announced the trip. I was only told that Angkar would send the trucks here the next day to transport those who wished to go to Vietnam”].

2906 **D114/69** Kuy Sambath WRI, A16.

2907 **D114/69** Kuy Sambath WRI, A1, 11 [“Through my own observation, one day, there were six trucks made in China which came to transport the registered people [...] A11: [...] The place was in front of the present day Smach Daeng Village market”].

2908 **D114/69** Kuy Sambath WRI, A11.

2909 **D114/69** Kuy Sambath WRI, A15 [“in my estimation, a truck could have carried about 60 people. There were six trucks in total, each of which was full loaded with people”].

2910 **D114/69** Kuy Sambath WRI, A1.

2911 **D114/69** Kuy Sambath WRI, A20.

2912 **D114/69** Kuy Sambath WRI, A1, 21, 25-26 [“I was transplanting rice to the west of Teuk Sab [...] I saw six trucks from a distance [...] A21: [...] I saw them transporting people along National Road 4. I saw them heading to the mountain while I was standing on the other side of the canal. [...] A25: [...] it was a detention place. [...] A26: It stood to the east of the canal and to the north of the National Road”].

2913 **D114/69** Kuy Sambath WRI, A1.

2914 **D114/69** Kuy Sambath WRI, A1, A28 [“I knew that the same trucks returned in the afternoon. The trucks returned to Smach Daeng Cooperative, which was located behind a pagoda [...] A28: After I had finished my work, I went back to eat rice at Smach Daeng Cooperative. I arrived there before the trucks did. I saw the arrival of the trucks at 1800”].

2915 **D114/69** Kuy Sambath WRI, A28 [“They carried the clothes to be kept near the eating hall at Smach Daeng Cooperative. The Khmer Rouge announced that these were the clothes of those who had gone to Vietnam”].

2916 **D114/69** Kuy Sambath WRI, A1.

2917 **D114/69** Kuy Sambath WRI, A1 [“After 1979, I returned to the place where I saw a great number of pits and graves. I saw skeletons there. In my estimation, there were about 1,000 dead bodies buried there. I thought that the number of the bodies did not exceed that figure. I also saw children’s and babies’ skulls”].

2918 **D114/179** Snguon Chhum WRI, A54-55 [“Q: Do you know about the big gathering of Khmer Krom people at Smach Daeng, after which those people were transported away in Chinese-made trucks? A54: I only heard about that from others; I did not see that event. [...] A55: [...] The family of a person whom I know also went with them. That man was originally from my home village. He was deceived. His wife was from Kampuchea Krom, and then he went with his wife and children, and he disappeared”].

2919 **D114/179** Snguon Chhum WRI, A55-56.

2920 **D114/242** Prak Bunny WRI, A83-84 [“Q: Where were those convicted people sent? A83: At that time, those prisoners were taken to the detention office in Tuek Sab. Q: How did you know this? A84: Because the biggest detention office was the prison office in Tuek Sab. It was their big prison”]; **D54/35.1** Prak Sokha DC-Cam Statement, 00971212 [“Q: Were there any prisons in Kampong Som? Did you know where did they imprison people after they had arrested them? A: They [Khmer Rouge] sent them to Tuek Sap, to a place next to the Tuek Sap Bridge. I saw they were sending the arrested people to Teuk Sap.”]. *See also* **D54/89** Kuy Nen WRI, A5, 28 The real ranking officials were kept at Kang Keng Airport and then they were tied up and taken for execution at Tuek Sab. Thousands of Lon Lon army soldiers were killed there [...] A28: [...] After the Khmer Rouge controlled the country in April 1975, the Khmer Rouge collected all former Lon Nol soldiers and placed them at Kang Keng Airport. Later those Lon Nol soldiers were taken away”]; **D114/242**

Prak Bunny WRI, A83-84 ["Q: Where were those convicted people sent? A83: At that time, those prisoners were taken to the detention office in Tuek Sab. Q: How did you know this? A84: Because the biggest detention office was the prison office in Tuek Sab. It was their big prison"]; **D114/109** Prum Sambath WRI, A139-144, 213 ["Q: For those who tried to flee what happened to them? A139: At that time there were people who fled they were arrested shackled and sent to Teuk Sab. Q: How many people do you remember were sent to Teuk Sab? A140: There were a few people. Q: How did you know that they were sent to Teuk Sab? A141: They told me so. Q: Who told you? A142: My colleague did. Q: Did you see them being shackled first-hand? A143: Yes, I did. Q: Did you see only a few of them or others? A144: I saw only a few of them because they were also in my unit [...] Q: You have said you saw people shackled and sent to Teuk Sab. Did you ever see them again? A213: No, I did not"]; **D54/36** Brak Sokha WRI, A4, 6, 13 ["The total number of people in the unit varied as at some point some were sent to be detained at Teuk Sap [...] A6: There were some '17 April people' who were Khmer Krom and were placed in that mobile unit. After four or five months the Khmer Krom people were sent to Teuk Sap. The Khmer Krom people were not kept for long in that mobile unit [...] A13: I became emaciated. I was living in fear. However I tried by best to survive as I did not want them to send me to Teuk Sap"]; **D114/297.1.20** Pak Sok T. 16 Dec 2015, 10.46.19-10.49.49 ["the word 'thmil' – 'thmil' means 'communist devils', which violated their law, that's why those people were arrested and sent to prison at Teuk Sap"]; **D54/35** Brak Sokha WRI, A17 ["At that point in time, they told us we would be sent on to Stueng Hav, not to Tuek Sab because we had committed only minor offenses"].

2921 **D54/89** Kuy Nen WRI, A9.

2922 **D54/36** Brak Sokha WRI, A6 -7 ["There were some 17 April people who were Khmer Krom and were placed in that mobile unit. After four or five months the Khmer Krom people were sent to Teuk Sap. The Khmer Krom people were not kept for long in that mobile unit [...] A7: Khmer Krom people were placed in other units. I knew some of them who were in my unit. I can recall Thach Bin, Lam Sik, and Lam Sanh (they were siblings). I recall their names since they were in my squad and were subsequently sent to Teuk Sap after four or five months being with me. Whoever was sent to Teuk Sap never survived"].

2923 **D54/36** Brak Sokha WRI, A7.

2924 **D54/89** Kuy Nen WRI, A5.

2925 **D114/242** Prak Bunny WRI, A86, 98 ["I just knew that those prisoners who were sent there never returned [...] A98: [...] After being sent to be imprisoned there, they would never return. They all were taken to be executed"]. *See also* **D54/36** Brak Sokha WRI, A4 ["The total number of people in the unit varied as at some point some were sent to be detained at Teuk Sap"]. *See also* **D114/176** Chan Savoeun WRI, A10, 27 ["Q: You said that you heard from your father-in-law that the Khmer Rouge took people from Smach Deng, Ream and Chamkar Daung to be killed there too. [...] Is this summary correct? A10: Yes, it is [...] Q: Do you understand why the Khmer Rouge took people from Smach Deng, Ream and Chamkar Daung to be killed in Teuk Sab? A27: I do not know. Hardworking people, lazy people, and traitors were taken to be killed"].

2926 **D114/230.1.1** OCIJ S-21 Prisoner List, EN 01222358 [identifying No. 636 as Tuon Moeun, Worker in Coconut Farm, who was arrested in Kampong Som (Ream) and entered S-21 on 7 May 1976], EN 01222359 [identifying No. 664 as Un Sary, Worker in Fishery (New People), arrested in Kampong Som (Ream) and entered S-21 on 7 May 1976], EN 01222358 [identifying No. 634 as Ung Phan, Student at final class, who was arrested from Kampong Som (Kang Keng) and entered S-21 on 4 July 1977], EN 01222358 [identifying No. 639 as Chhun Huoy (Chuun Huoyou), Motor Taxi (New People), who was arrested from Kampong Som (Kang Keng) and entered S-21 on 7 May 1976], EN 01222358 [identifying No.643, Sam Set, as Combatant of Division 164 from Southwest Zone (Doing Ricefield) who was arrested from Kampong Som (Division 164) (Kang Keng) and entered S-21 on 7 May 1976], EN 01222527 [identifying No. 5025 as Moul Vandy (Moul Vann Dy), Work in Art Performance, who was arrested from Kampong Som (Kang Keng) and entered S-21 on 7 May 1976], EN 01222567 [No. 6084, identifying Om Kuen (Um Kaen), Combatant of Division 164 from Southwest Zone (Combatant of Unit 63, Southwest) who was arrested from Kampong Som (Division 164) (Unit 63, Southwest) (Kampong Som, Southwest Division) (Kang Keng) and entered S-21 on 14 July 1976].

2927 *See* **D114/4** Mom Meng WRI, A27-31 [The witness discovered a burial site in 1983 that was located one kilometer beyond C.I. and about two kilometers off the other side of National Road 4. The site was a jackfruit orchard that contained approximately 20 graves. The witness is unsure whether these graves were dug during the CPK regime or whether the site was simply a burial ground]; **D114/6** Yin Teng WRI, A42, 123-124, 126 ["My cousin's name was Thi and her husband's name was Khin. Because she was seen crying when her husband was taken away, she was targeted to be taken to be killed at Puthte Village. Puthte Village was a

- place where everyone knew that the wives of the killed men were taken to be killed [...] A123: I went with another woman to see my husband's body one day after they killed him. I walked from my workplace to Ou Kach. There were about 10 corpses at that location. He had not been buried yet. I recognised body because I could see his face clearly. My husband had been hit on the base of his neck. [...] A124: I went after I had heard from the soldier who returned with my husband. He told me that my husband had been taken to be killed after they returned from the East Zone. Ou Kach was about three to four kilometres from the place where I lived. It was north of Pou Thoeung Village, but I had to walk through thick forest to get there. [...] Q: Are you sure that it was your husband? A126: [...] I clearly recognised his face”].
- 2928 **D2/6** Nhoung Chrong WRI, A40-41 [“Although I did not see it, I heard from other people saying that after they arrested people who had made mistakes, they sent them to that place where they used them as the fertilizer for the Durian trees. That place was the secret place where people were not allowed to go in. Q: When you said that they used them as the fertilizer what did you mean? A41: It meant they took them to kill there. They killed and buried their bodies under the Durian trees as fertilizer”].
- 2929 **D114/66** Chet Bunna WRI, A11 [“I heard about this place from the cow care takers who used to take their cows to graze on the field near Kang Keng Airfield. At that time they said that the durian plantation was the place where they [the soldiers] killed people. Based on what I knew, any civilians, who had made mistakes, and the 17 April-people were taken to be killed at that place”].
- 2930 **D54/18** Nou Saroeun WRI, A43-44 [“Ordinarily no one could have survived being sent there [...] A44: I heard many people say that no one could return after being brought there”].
- 2931 **D54/18** Nou Saroeun WRI, A39, 44 [After 1979, I went there and I saw burial pits and graves [...] A44: “As I have mentioned earlier, I visited there after 1979, and I saw some graves and burial pits”].
- 2932 **D54/118** Prom Kem WRI, EN 01066680 [“you learned/heard from the people that the Khmer Rouge buried bodies around durian trees as fertilizer in a place called Chamkar Thuren (durian orchard)”]; **D54/123** Lak Saphan WRI, A12 [“They dug pits under the durian trees”]; **D2/6** Nhoung Chrong WRI, A41, 43 [“Q: When you said that they used them as the fertilizer, what did you mean? A41: It meant they took them to kill there. They killed and buried their [bodies] under the Durian trees as the fertilizer [...] A43: the groups of the Regiment 62 were those who took people from Ream to kill in the Durian plantation”]; **D54/26** Pak Sok WRI, A16 [“I learned that through the military who were working there. They told us that they had killed many Vietnamese there and had buried the bodies under the durian trees as fertilizer”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.41.42-10.45.27 [“Their dead bodies were used as fertiliser right there”].
- 2933 **D54/18** Nou Saroeun WRI, A46 [“I saw two big burial pits with skulls and bones. The first pit was bigger and deeper than the second, and the second was near a big durian tree. I suspect that both pits are covered by the forest now. Let me clarify that I only saw the mass grave pits, and not the graves”].
- 2934 **D54/18** Nou Saroeun WRI, A47 [“The first pit was round and we could see that was not fully covered. It was about thigh deep and it was four metres in diameter”].
- 2935 **D54/18** Nou Saroeun WRI, A47 [“When I visited there, I saw four or five skeletal remains on the ground and the pit was covered with dirt. As far as I know, those pits have not yet been excavated”]; *see also* **D54/123** Lak Saphan WRI, A12 [“Right after the Khmer Rouge regime collapsed. I went there and saw arm and leg bones, and sometimes I saw skulls and hair”].
- 2936 **D54/123** Lak Saphan WRI, A13.
- 2937 **D54/123** Lak Saphan WRI, A12 [“If I am not mistaken, those people had been killed by being struck on their heads with hoes, because I saw remains of hoes scattered around the place”].
- 2938 **D114/297.1.20** Pak Sok T. 16 Dec 2015, 10.45.27-10.46.19 [“I lived close to the execution site and my biography, in my original Regiment 62, shows some of the soldiers who used to live with me and I knew, I ask them and those soldiers told me that the executions really happened”], 10.41.42-10.45.27 [“At that time, majority of people who committed the killings came from the regiment where I worked previously, that was Regiment 62. Those who were arrested, were taken by this Regiment 62 to an orange plantation and a coconut plantation where the execution took place”].
- 2939 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.45.27-10.46.19. *See also* **D54/26** Pak Sok WRI, A16 [“I learned that through the military who were working there. They told us that they had killed many Vietnamese there and had buried the bodies under the durian trees as fertilizer”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.41.42-10.45.27 [“Their dead bodies were used as fertiliser right there”].
- 2940 **D54/90** Kuy Nen WRI, A1-2 [“After the Khmer Rouge occupied the country in 1975, we, the base people here, knew that the Khmer Rouge used the durian plantation as a killing place. But as for me, I first saw that durian plantation after the Vietnamese arrived in January 1979. Q: How did all the people know that the

- Khmer Rouge took people to be killed there? A2: I learned that the Khmer Rouge took people to be killed there from the wife of a Khmer Rouge soldier. During that time, the wives of Khmer Rouge soldiers were the chairwomen of the cooperatives here, Babos Cooperative and Pu Thoeung Cooperative were here, and there were thousands of people in these two cooperatives including family members of the soldiers”; **D114/2** Lak Saphan WRI, A10 [“All the base people there knew that there were two killing sites: Oeng Krapum Phkar’s durian plantation and the Tuek Sab durian plantation”]; **D114/25** Ou Dav WRI, A33 [“I heard about the killing sites near Ream and Chamnaot Ream [Ream Slope], as well as other places. Not only Cambodians but also foreigners were killed at those killing sites”].
- 2941 **D114/2** Lak Saphan WRI, A10 [“When the Khmer Rouge took people to be killed, everyone knew that before they were taken away to be killed, their clothes were removed. All the base people there knew that there were two killing sites: Oeng Krapum Phkar’s durian plantation and the Tuek Sap durian plantation”].
- 2942 **D114/2** Lak Saphan WRI, A10 [“Even the Lon Nol soldiers who surrendered when the Khmer Rouge regime came to power were taken to be killed at these two durian plantations”].
- 2943 **D114/2** Lak Saphan WRI, A20 [“Those cooks said that captured prisoners who came through Kampong Som Port were taken to be killed at Oeng Krapum Phkar’s durian plantation. Those who had been captured and came through Ream were taken to be killed at Tuek Sab durian plantation”].
- 2944 **D54/90** Kuy Nen WRI, A3.
- 2945 **D54/90** Kuy Nen WRI, A10, 13 [“The chairwoman of Babos Cooperative was Comrade Ri [...] A13: Comrade Ri worked as the chairwoman of Babos Cooperative from 1975 until 1979. She was very mean”].
- 2946 **D54/90** Kuy Nen WRI, A17-18 [“She said that if anyone stole rice, potatoes, or food she would give the order to arrest that person. She said that people arrested from Babos Cooperative would be sent to the durian plantation at Tuek Sab, and the people arrested from Pu Thoeang Cooperative and other cooperatives would be sent to the durian plantation(s) at Ou Trav and CI. Q: Was the durian plantation at Ou Trav the place near the Kang Keng airport you marked on the map? A18: Yes”].
- 2947 **D54/90** Kuy Nen WRI, A17 [“She said that if anyone stole rice, potatoes, or food she would give the order to arrest that person. She said that people arrested from Babos Cooperative would be sent to the durian plantation at Tuek Sab, and the people arrested from Pu Thoeang Cooperative and other cooperatives would be sent to the durian plantation(s) at Ou Trav and CI”].
- 2948 **D54/90** Kuy Nen WRI, A5 [“Yes, all the people were very afraid, but some people still made mistakes and were arrested and taken to be killed. When they felt hungry, they dug up potatoes to eat. Even though they had grown those potatoes by themselves, if they dug up the potatoes to eat without permission from the Khmer Rouge, they would be arrested and taken to be killed”].
- 2949 **D54/90** Kuy Nen WRI, A3 [“Every day after taking people to be killed, the Khmer Rouge brought the victims’ clothes to distribute to the villagers”].
- 2950 **D114/2** Lak Saphan WRI, A3 [“Q: You said that you saw bones and clothes at Oeng Krapum Phkar’s durian plantation; did you see any children’s bones? A3: I paid no attention to this, because at the time I was terrified because I saw many bones, skulls, and clothes scattered all over the ground. I would like to add that, even though I did not notice children’s bones there, during this time, when the Khmer Rouge caught and took people there, they took entire families, including parents and children. At that time, I saw that whenever the Khmer Rouge took people away, the prisoners walked together as families, the parents holding their small children’s hands”].
- 2951 **D114/1** Ung Chanthea WRI, A7.
- 2952 **D114/1** Ung Chanthea WRI, A7, 17 [“At that time, other people in the same village and district were also arrested. [...] A17: I saw that three times. As far as I remember, near the end of the Khmer Rouge regime.”]
- 2953 **D114/1** Ung Chanthea WRI, A9, 18-19, 24.
- 2954 **D114/1** Ung Chanthea WRI, A21.
- 2955 **D54/90** Kuy Nen WRI, A20 [“In 1979 [...] [w]hen I arrived at the durian plantation at Ou Trav, as I marked on the map [...] We walked past pits full of dead bodies”].
- 2956 **D54/90** Kuy Nen WRI, A20 [“We walked past pits full of dead bodies. We saw bones and skulls all over the ground there and there was a strong odour”].
- 2957 **D114/2** Lak Saphan WRI, A2-3 [“On the other side of the mountain was Oeng Krapum Phkar’s durian plantation, where I saw bones, skulls, and clothes scattered all over the ground. [...] A3: I saw many bones, skulls, and clothes scattered all over the ground”].
- 2958 **D54/90** Kuy Nen WRI, A21-22 [“Q: Were the pits you saw at the durian plantation at Ou Trav mass graves, individual graves, or a mix of both? A21: There were pits surrounding each durian tree, and there was one

- body or more in each pit. Q: Could you estimate how many pits with bodies were at that place? A22: I could see pits everywhere. The land area there was 100 metres wide and about 200 metres long with durian trees, orange trees, and *Champa Dak* trees. One side of that place was bordered by a mountain and another side was bordered by a ditch”; **D114/2** Lak Saphan WRI, A6 [“Each time I went there I stayed there more than half a day, for I walked throughout the plantation to pick jack fruits and durians for eating. Under every jack fruit and durian tree, there were graves. I did not plan to dig up the graves but to pick the fruits”].
- 2959 **D54/90** Kuy Nen WRI, A23 [“I saw the hand bones of some bodies tied with nylon strings from hammocks, and I also saw the men and women’s hair was long”]; **D114/2** Lak Saphan WRI, A8 [“I saw tie strings scattered all over the place, but they were no longer stuck to the bones, as the bones were scattered all over the ground”].
- 2960 **D54/90** Kuy Nen WRI, A27 [“Q: What kind of clothes did you see? Civilian, military, or a mix? A27: According to my examination, I saw both black clothes and mixed colours. I saw long hair on the female bodies”].
- 2961 **D54/90** Kuy Nen WRI, A28 [“Q: According to your understanding, who were the owners of those multi-coloured clothes, because during that regime the Khmer Rouge only allowed black clothes? A28: I thought that those mixed civilian clothes belonged to the ordinary civilian base people at the cooperatives”].
- 2962 **D54/90** Kuy Nen WRI, A32-33 [“There was no fighting between the Vietnamese and Khmer Rouge soldiers there. [...] A33: I never heard that the place had been a graveyard before”].
- 2963 **D54/26** Pak Sok WRI, A26.
- 2964 **D54/26** Pak Sok WRI, A28 [“I got to know of these killings when I was placed into the no-good elements. I was ordered to work at a paddy field in this Ream area, as I have informed you earlier. I was placed to work with base people in that area”].
- 2965 **D114/297.1.20** Pak Sok T. 16 Dec 2015, 10.49.49-10.51.34. *See also* **D54/26** Pak Sok WRI, A28 [“Those soldiers told me that all the 17 April people had all been killed.”]; **D114/297.1.20** Pak Sok T. 16 Dec 2015, 10.49.49-10.51.34 [“I knew about this because I was assigned to farm rice with these 17 April People. But in a later stage, when I did my rice farming with these people, I noticed that there were disappearances of them one after another and I suspected this. I was curious why these people no longer came to join the workforce”].
- 2966 **D54/26** Pak Sok WRI, A29 [“According to what I was told by those military personnel, about three truckloads of people were taken to be killed there”].
- 2967 **D114/4** Mom Meng WRI, A15 [“Before I went there in 1983 or 1984, I had heard from local people that evacuees from Kampong Som had been killed at large boulder near a ramp on the National Road 4, but no one dared to look for the exact place because it was covered in forest”].
- 2968 **D54/24.1** Pak Sokh DC-Cam Statement, EN 00978580 [“After they arrested Dim, all of his troops of a division unit, who had come with him [from the East Zone], were taken away. [...] They took his troops to be killed at a place near the Ream slope. After the killing, they used tractors to drag the earth to bury the corpses”].
- 2969 **D54/89** Kuy Nen WRI, A9 [“At that time it was commonly known to the villagers that when someone was arrested and taken from the Pu Thoeang Village Cooperative, they would be taken and killed at CI, but if someone was arrested from the village cooperative of Babos, they would be taken to be killed at Tuek Sab”]; **D114/239** Sao Men WRI, A20 [“Q: Did you ever see workers being taken away from Bet Trang Worksite? A: Yes, I did. They took people away even in the daytime. I heard they took those people to CI”].
- 2970 **D54/90** Kuy Nen WRI, A17 [“My younger sibling was arrested in Pu Thoeang Cooperative and taken to be killed at CI”].
- 2971 **D114/239** Sao Men WRI, A20 [“Q: Did you ever see workers being taken away from Bet Trang Worksite? A: Yes, I did. They took people away even in the daytime. I heard that they took those people to CI Many of my relatives died”].
- 2972 **D114/239** Sao Men WRI, A21-22 [“Q: Do you know where that CI was? A21: The CI was over there, just past that factory. Those taken there were never came back. Q: Who came to take people away? A22: I do not know. I only know that many people were taken away. I heard that they took those people to work, but I never saw them come back”].
- 2973 **D114/179** Snguon Noch WRI, A60 [“After 1979, I saw people going to excavate that place in search of gold”]; **D54/119** Prom Kem WRI, A4 [“I heard about this because the people went in search of gold in the CI camp and discovered gold and other valuable items in graves”]; **D54/120** Prom Kem WRI, A12 [“Q: As First Deputy of Bet Trang Commune, have you ever heard of graves being excavated in the vicinity of the Durian Plantation? A12: No. I have never heard of any graves being exhumed at the Durian Plantation, but I have

- heard about graves being dug up to search for gold at the CI Barracks”]; **D54/22** WRIA, EN 00947623 [“Mr. Mom Meng dug up graves and saw other villagers digging up graves for the purpose of searching for valuables and gold”].
- 2974 **D114/179** Sngunoch WRI, A60 [“After the people excavated that place, human skulls were spread all over the ground. We could see the skulls from the road, but I did not go down to that place. We could see the skulls from the junction. However, I do not know where those victims who were killed over there were from”].
- 2975 **D114/179** Sngunoch WRI, A60-61 [“We could see the skulls from the road, but I did not go down to that place [...] A61: We could see the skulls from the junction”].
- 2976 **D54/91** Kuy Nen WRI, A7 [“Q: Can you briefly tell us what you know about the graves at CI? A7: One day in early 1979 I went to that place with four or five militiamen. When we arrived there, I saw two graves. The first grave was about 15 metres square and the other one was about 10 metres square”].
- 2977 **D114/4** Mom Meng WRI, A18 [“Q: Please describe CI when you first arrived there in 1983 or 1984 [...] A18: I saw that same scene when I arrived. I saw what I had heard about. I saw large graves holding about eight to ten corpses. I knew that because I saw the skulls. Most of the graves were thigh deep”]. *See also* **D54/22** WRI, EN 00947623 [“He saw and learned from other diggers that were large mass graves which contained around 10 corpses each and small graves with 1-3 corpses each”].
- 2978 **D114/4** Mom Meng WRI, A19, 21 [“Q: When you showed us those places in August 2013, you showed us graves north of the National Road 4. Can you give us more details about that place? A19: That location was CI, the site of about 100 graves back then; but now that place is an acacia tree farm [...] Q: Can you estimate the number of large graves among the 100 graves like the ones you showed us? A21: I remember that there were only two large graves. The other graves were smaller”]. *See also* **D54/22** WRI, EN 00947623 [“Mr. Mom Meng is confident and obviously familiar with the terrain”].
- 2979 **D114/4** Mom Meng WRI, A16-17 [“Q: Please describe CI when you first arrived there in 1983 or 1984. A16: When I first arrived there, I saw clothes and bones scattered on the ground. Then I walked on those bones and clothes to find jewellery or gold, and later we searched for unexcavated graves. Then we dug up those graves to find any remaining jewellery or gold. There were one to five corpses in each grave I dug [...] A17: I personally dug only about five graves, but I scraped away at many grave pits that had already been dug up”].
- 2980 **D114/4** Mom Meng WRI, A16, 24 [“Q: Please describe CI when you first arrived there in 1983 or 1984. A16: When I first arrived there, I saw clothes and bones scattered on the ground. Then I walked on those bones and clothes to find jewellery or gold, and later we searched for unexcavated graves. Then we dug up those graves to find any remaining jewellery or gold. There were one to five corpses in each grave I dug [...] Q: You told us previously that back then you saw army uniforms and civilian clothes scattered around and inside the graves. Can you tell us the details? A24: Most of the clothes were civilian clothes of different colours, and a small number of bones were stuck to those clothes”].
- 2981 **D54/91** Kuy Nen WRI, A7 [“There was a strong odour at the site. On the top of both graves were cracks because the corpses in the graves had swollen. We could not stay there long because we could not tolerate the odour”].
- 2982 **D114/31** Moul Chhin WRI, A121.
- 2983 **D114/194** Sorn Sot WRI, A67.
- 2984 **D114/31** Moul Chhin WRI, A117. *See also* **D114/96** Cheng Laung WRI, A18 [“My living conditions were very terrible”].
- 2985 **D59/1/4.25** Long Ly DC-Cam Statement, EN 00970702 [“There was food shortage. There was no steamed rice for people, so, we ate porridge”]; **D114/6** Yin Teng WRI, A25, 37 [“There were four members in my family. We were given one can of rice per day, so I did not have sufficient food. [...] A37: We had insufficient food and water.”]; **D114/239** Sao Men WRI, A8, 14 [“I was provided only rice gruel to eat” [...] Q: Were the food rations enough? A14: They were not enough, but there was nothing we could do about it. They carefully measured rice gruel with a ladle before giving the gruel to us”]; **D114/243** Thork Sen WRI, A85 [“During the regime, only gruel was provided, but the ration was not enough”]; **D114/194** Sorn Sot WRI, A61 [“Things were very difficult. One can of rice was given for seven people. It was miserable”]; **D54/36** Brak Sokha WRI, A12 [“The food regime was insufficient. Sometimes we had rice and other time we had gruel mixed with water lily or water convolvulus”]; **D114/31** Moul Chhin WRI, A114 [“Q: Did you receive enough food? A114: No, it was not enough. Each worker received a small bowl of rice served with fish soup. I was used to eating three to four bowls of rice per meal. It was insufficient, and we received that

ration only two times per day-once at noon and once in the evening”]; **D114/179** Sngun Noch WRI, A11 [“I received only a ladle of rice gruel per day (the witness used his hands to show the size of a small bowl)”]; **D54/120** Prom Kem WRI, A3 [“As for the distant workers, food was transported to them there so there would be no need for them to waste time returning to the cooperative. They might eat plain rice or gruel, and we never had enough to eat”]; **D114/156** Soeng Noch WRI, A68-69, 71 [“We had no lunch. [...] A69: We did not have three meals per day. [...] Q: Between breakfast and lunch, did they provide anything else for you to eat? A71: No, they did not.”]; **D54/20** Sam Saom WRI, A14 [“The food was insufficient. We were given rice gruel in the morning. Though we were given rice for lunch and dinner, the amount given was not sufficient”]; **D114/89** Seng Sin WRI, A82-83 [“In short, we never had enough food to eat. [...] A83: We were offered two meals per day”]; **D54/105** Ek Ni WRI, A16 [“I received less food ration [at Kang Keng] than when I was at the military front line. We received roughly 70 per cent of a tin of rice. We cooked rice mixed with yam to eat. We ate twice a day”]; **D114/121** Suon Phar WRI, A23 [“We had only one small bowl each mealtime. We never had enough to eat”]; **D114/79** Kang Sum WRI, A282 [“[The farmers] were emaciated because they did not have enough to eat”]; **D114/135** Nub Phorn WRI, A29 [“The meals provided were not enough, and I was always hungry”]; **D114/244** In Yoeu WRI, A25-26 [“When I was in Kang Keng, my living conditions were terrible and I did not have enough strength. The provided food rations were too little. A pot of cooked rice was provided to ten people. [...] Each day, I got very little food and I became emaciated”]; **D114/242** Prak Bunny WRI, A61 [“old people were starved”]; **D114/109** Prum Sambath WRI, A157-159 [“The food ration for each of us was a plate of rice with potatoes per meal time. Q: What was the size of the plate? A158: It was a small plate, so it was insufficient. Q: How many meals did you receive per day? A159: There were two mealtimes per day”]; **D114/69** Kuy Sambath WRI, A1 [“At first, we were allowed to eat privately in the family. Three months later, the Khmer Rouge began collecting dishes and kitchenware, and we were made to eat communally [...] When we were living in the cooperative, we were offered two meals per day. Sometimes we were offered rice and sometimes rice porridge. As with our breakfast, we had to eat our own meal. I saw first-hand the victims who suffered from starvation, malnutrition, and sickness caused by torture and forced labour”]; **D1.3.13.8** Pen Sarin OCP Statement, EN 00217561 [“They did farming at Smach Deng [...] The chief of the regiment did not eat with the workers, only the co-operative chiefs. There they had two spoons of porridge, same as at Stung Hau. The regiment chief looked better fed than the rest of the people”]; **D11/388** Nap Somaly CPA, EN 01073730 [“At meal times, we were given only porridge to eat. We could get a share of only a plate of porridge each to eat with Chrach plant soup which was cooked with a few crabs”]; **D11/387** Sam Vuthy CPA, EN 01210491-92 [“we did not have enough food to eat; each person received a ladle of porridge cooked in the big pan with water lily soup mixed with five to ten crabs”]. *Contra* **D54/17** Say Born WRI, A14 [“As far as I know, the working conditions and food supply were normal”]; **D114/53** Uk Sok WRI, A112, 202 [“We had more than enough to eat. [...] A202: There was enough food since it was near the sea. And some people were assigned to catch sea fish”]; **D54/92** Yem Sam On WRI, A29 [“I had enough food to eat because the battalion sent enough food there”].

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D114/31 Moul Chhin WRI, A115.

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D114/239 Sao Men WRI, A8 [“I was provided only rice gruel to eat”]; **D54/90** Kuy Nen WRI, A40 [“In 1977, the working and living conditions started to become very difficult. The food rations were only three scoops of liquid porridge for each person per meal”]; **D54/36** Brak Sokha WRI, A12 [“We had two meals per day and for each meal we had a bowl of rice”]; **D114/31** Moul Chhin WRI, A114 [“I was used to eating three to four bowls of rice per meal. It was insufficient, and we received that ration only two times per day - once at noon and once in the evening”]; **D114/94** Sam Vuthy WRI, A65-66 [“Q: What were the food rations like? A65: They gave each of us a small bowl of porridge and a big bowl of soup for four people. Q: Were they the food rations for one meal? A66: Yes. They gave us two meals per day, in the morning and evening. There was no lunch”]; **D114/239** Sao Men WRI, A13 [“Q: How many meals did you have a day? A13: I had two meals – breakfast and dinner”]; **D114/96** Cheng Laung WRI, A23.

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D114/96 Cheng Laung WRI, A23. *See also* **D114/239** Sao Men WRI, A13-14 [“I had two meals – breakfast and dinner. Q: Were the food rations enough? A14: They were not enough, but there was nothing we could do about it”].

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D114/79 Kang Sum WRI, A282.

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D54/90 Kuy Nen WRI, A17 [“She did not tell us everything about the durian plantations. She said that if anyone stole rice, potatoes, or food she would give the order to arrest that person”]; **D114/96** Cheng Laung WRI, A25-26 [“We could not steal any vegetables. If the Khmer Rouge had known this, they would have taken us to be killed. [...] A26: For example, then I went to eat rice, I heard that those people who had stolen

vegetables to eat were arrested”]; **D114/194** Sorn Sot WRI, A66 [“One guy did not have enough food, so he stole a potato. He was arrested, tied up, and sent to Teuk Sap”]; **D114/109** Prum Sambath WRI, A178-179, 217-218 [“Q: Was anyone trying to find or steal additional food to eat? A178: Yes, there was. However, those who were caught stealing the food were arrested to be re-educated. Q: What does re-education mean? A179: They re-educated us to be good. They ordered us to go back to work, but they warned us to not steal again. [...] Q: You have mentioned those people were sent to be re-educated. Did you ever see them again? A217: No, I didn’t. They disappeared. Q: How many people were sent to be re-educated? A218: There were three people in my unit”].

2991 **D54/36** Brak Sokha WRI, A12 [“If anyone failed to complete the quota by that time that person had to continue working through the night. The person would not be given any food until the work was fully completed”]; **D114/31** Moul Chhin WRI, A112 [“They absolutely required us to complete the assigned task within the day without fail. In the case the quota was not met they permitted neither rest nor food”].

2992 **D114/194** Sorn Sot WRI, A67 [“If anyone pretended to be sick he would be deprived of his food”]; **D54/120** Prom Kem WRI, A3 [“Those who were sick and could not go to work were not fed. At mealtime, I saw the sick standing in line to receive food rations, but they were sent back home. In some cases, they even had already put rice on plates intended for those people, but they withdrew the food and the plates on the grounds that those people were sick and had not gone to work”]; **D54/90** Kuy Nen WRI, A16 [“When she said that anyone who got sick would not be provided with porridge to eat — she did as she said — and the sick person did not receive any food to eat”].

2993 **D54/36** Brak Sokha WRI, A13.

2994 **D114/121** Suon Phar WRI, A23 [“While we were working at Kang Keng, our place was in Phnum Ambaos Mountain near Pou Thoeung Village, approximately four or five kilometres from Kang Keng Airport. We had to walk to work from our place to Kang Keng Airport every day. We started walking to work around 6.00 a.m. We started working around 7.00 a.m.”]; **D114/135** Nub Phorn WRI, A27 [“Everyone had to get up at 5.00 a.m. After that we had porridge for breakfast at 5.30 a.m., and we had to walk about fifteen minutes to a field about one or two kilometres from where we lived”].

2995 **D114/109** Prum Sambath WRI, A197; **D54/97** Khoem Yat (Division 164 Soldier sent to work at Kang Keng Airport after a purge was conducted in his regiment in 1977) WRI, A10 [“At Kang Keng, they had us to farm rice with hoes instead of using cattle to plough. Twenty five people were assigned to hoe (instead of ploughing) one hectare of soil per day”].

2996 **D114/121** Suon Phar WRI, A23.

2997 **D114/89** Seng Sin WRI, A190 [“some fainted whilst working”]; **D114/194** Sorn Sot WRI, A61 [“Some people collapsed while working”]; **D114/89** Seng Sin WRI, A95, 146 [“Q: Was there anyone who fell sick or fainted whilst working? A95: Yes, there were. [...] A146: At that time, my health was not very good and my strength depleted. I was emaciated”]; **D114/6** Yin Teng WRI, A40, 100 [“After my elder cousin’s husband and I were taken away, we cried. They saw us crying and punished us by having us stamp 8000 pieces of clay per day in Smach Daeng Village. I had no problems, but my elder cousin fell sick because she had just delivered a baby. She died three days later. Then her baby also died. [...] A100: They only got a small amount of rice, not enough, and there was not much food. Therefore they collapsed unconscious during work”]; **D114/40** Moul Chhin WRI, A31 [“Q: Did you ever see people fainting due to sickness and/or people who were exhausted while they were working at that dam? A31: Yes, I did. Because they were so tired, some people collapsed. We had to work until we collapsed, because then other people would carry us to rest in a hut”].

2998 **D114/31** Moul Chhin WRI, A130.

2999 **D54/36** Brak Sokha WRI, A14 [“Q: Did you observe any death or hardship of people who were in that mobile unit? A14: “We were all in the same condition. For example, when I was sick I was sent to a hospital in Babos village. Some people were sent to the hospital and never returned. People working in that hospital said that those patients died and we simply believed what they told us”]; **D114/31** Moul Chhin WRI, A117 [“The people were hungry, tired, sick, thin and pale, suffering from malaria and other diseases”]; **D114/40** Moul Chhin WRI, A31 [“Those who were exhausted were allowed to have some rest, but they had to return back to work after very little respite. As for the people who were seriously sick, they were taken to a hospital in Kampong Som”]; **D114/89** Seng Sin WRI, A95, 146 [“Q: Was there anyone who fell sick or fainted whilst working? A95: Yes, there were. [...] A146: At that time, my health was not very good and my strength depleted. I was emaciated”]; **D114/6** Yin Teng WRI, A100 [“They only got a small amount of rice, not enough, and there was not much food. Therefore they collapsed unconscious during work”]; **D114/109** Prum

Sambath WRI, A161-165 ["Q: Was there anyone getting sick? A161: Yes, there was. Q: Were sick people given medicine? A162: Medics were sent to the units to cure them. Q: Was there anyone dying at that time? A163: Yes, there was. Severely sick people died. Q: Do you remember how many of them died? A164: I do not remember. I only remember that there were people who died of illness. Q: Was there anyone who became weaker and died? Or was there anyone who overworked and died? A165: There were some who did not receive sufficient food to eat became weaker and died"].

3000 **D114/6** Yin Teng WRI, A40 ["After my elder cousin's husband and I were taken away, we cried. They saw us crying and punished us by having us stamp 8000 pieces of clay per day in Smach Daeng Village. I had no problems, but my elder cousin fell sick because she had just delivered a baby. She died three days later. Then her baby also died"].

3001 **D114/156** Soeng Noch WRI, A73.

3002 **D54/90** Kuy Nen WRI, A40 ["There was no medicine for the sick; there was only traditional medicine called rabbit-dropping medicine"]; **D114/31** Moul Chhin WRI, A120-121 ["Q: What would happen to someone who fell sick? A120: Sick people were sent to hospital in the cooperative, where only 'rabbit-dropping medicine' was provided. Q: Was that medicine effective? A121: No. The more we took, the more our bodies would swell, and we would die"]; **D54/120** Prom Kem WRI, A3 ["There was no food. There was no medicine"]. *See also* **D114/239** Sao Men WRI, A19 ["Q: You told us earlier that you had seven children, but two of them died. Did they die whilst they were working in the children's unit? A19: No, they died in 1979 because there were not enough medications to treat their illnesses"]; **D114/156** Soeng Noch WRI, A81-82 ["Q: Were there sufficient medical practitioners and medicines for the treatment of all of the patients there? A81: As far as I know, there was not enough; many people died daily. Q: Were there enough beds for all the patients? A82: No, there were not"].

3003 **D114/194** Sorn Sot WRI, A65 ["People died from suffering from diarrhoea without receiving any treatment"]; **D114/6** Yin Teng WRI, A160 ["Q: Did you volunteer to do the work, or were you forced to do it? A160: Even if I told them that I had stomach pain, they still forced me to work"].

3004 **D114/135** Nub Phorn WRI, A28 ["Sometimes I was sick, but I had to work in order to avoid being accused of pretending to be sick. People in my group who were sick were taken to have their health checked, to ascertain whether they were truly sick or they were pretending to be sick"]; **D114/40** Moul Chhin WRI, A30 ["Q: [...] you said that even when it was raining, you and other people were still required to work; you laboured in the mud and carried wet soil. Those who were sick did not dare to take a rest nor complain, and they had to work until they had completed their target because if they dared to complain, they would be killed. Is that correct? A30: Yes, it is"].

3005 **D114/31** Moul Chhin WRI, A125.

3006 **D54/36** Brak Sokha WRI, A14 ["Some people were sent to the hospital and never returned. People working in that hospital said that those patients died and we simply believed what they told us"].

3007 **D114/156** Soeng Noch WRI, A81.

3008 **D114/117** Nav Sokhan WRI, A117, 138, 208 ["They were raped in a hut located to the North of Chamkar Daung Plantation [...] A138: It was a hut. It was about one kilometre away from Chamkar Daung Plantation [...] A208: They were afraid that the men who raped those women would kill them, because those men held power."]. *See also* **D114/117.1** Nav Sokhan WRI, Annex: Sketch of location in Cheng Heng Coconut Plantation, EN 01138918.

3009 **D114/243** Thork Sen WRI, A34-40, 46, 111, 113, 115-116 ["Sometimes when we did not guard regularly, we were beaten. By 'not guarding regularly', I mean that I was sometimes sleepy. Q: Did you ever see any children being beaten? A35: Yes, I did. To tell the truth, I was also beaten. Q: Why were you beaten? A36: As I told you earlier, it was because I was got sleepy while I was on guard duty. When we are young we need a lot of sleep. Q: How old were you at that time? A37: I was 15 years old. Q: Who beat you? A38: Phon, the one with the disabled arm, beat me. Q: How did Phon beat you? A39: He did not beat just one person. He beat all of the children in the unit. He did not beat me with a simple stick, but with a ray's tail. This caused my whole back to bleed. Q: For how long were you beaten? A40: The beatings lasted for about 30 minutes [...] A46: I was beaten many times. I was beaten about six times because I slept while on guard duty [...] Q: Why did they beat people? A111: They beat us to make us work [...] Q: How many times did they beat people with the sticks? A113: At most once or twice to make us work hard [...] Q: Did you ever see them beating children at the worksite? A115: Yes I did, I occasionally saw it. Q: How did you know that happened? A116: I went there and saw it first-hand"] **D114/89** Seng Sin WRI, A160-162 ["Q: When you were in the production unit, were any of the men beaten? A160: Yes. I witnessed one man being beaten. Q:

- Why was he beaten? A161: He could not work because he had no strength. Q: How was he beaten? A162: He was kicked"]; **D114/6** Yin Teng WRI, A96 ["Q: Did they ever beat people? A96: They beat six people in front of me because those people did not perform their work well"]; **D114/156** Soeng Noch WRI, A117-118 ["He used to tie my hands behind my back. He threatened to chop off my head. At that time, I [burst] into tears. [...] A118: One person in my squad took my coconut fruits, claiming that they belonged to him. He took a stick and hit me I fought back; I hit him until he fell into the water. He reported this to Nhim. Then, Nhim came to arrest me, tying my hands behind my back, without asking me the reason"]].
- 3010 **D114/243** Thork Sen WRI, A39 ["Q: How did Phon beat you? A39: He did not beat just one person. He beat all of the children in the unit. He did not beat me with a simple stick, but with a ray's tail. This caused my whole back to bleed"]].
- 3011 **D54/91** Kuy Nen WRI, A5-6 ["The military commander leading the work in this area was Chhoeun. He was very cruel. He was deputy of Regiment 164. Q: Why was he so cruel? A6: He was cruel without limits. If he wanted to arrest or beat a soldier or a civilian, he would [do] so without compromise. For instance, some people and I were grabbed to drain water from rice fields so that the seedlings would not be completely covered by water. We could not drain the water in time due to heavy rain. When Chhoeun saw this, he personally came to beat us with a whip at the seedling nursery. If you want me to describe Chhoeun's cruel acts on the people at that time, there are a lot of stories to tell. I cannot describe all of his acts during this short time"]].
- 3012 **D114/6** Yin Teng WRI, A45 ["During the first three months, I was assigned to cook in the cooking hall of Pou Thoeung Village. Because I thought that the people had insufficient food, I cooked extra rice. I was accused of being disloyal to *Angkar*. After that, I was punished by being assigned to dig two cubic metres of canal per day"]].
- 3013 **D114/6** Yin Teng WRI, A46.
- 3014 **D114/96** Cheng Laung WRI, A13 ["I did not know when I would be taken to be killed. [...] I was scared because sometimes people were taken out, and sent to the upper echelons, and we did not know what happened to them"]].
- 3015 **D54/120** Prom Kem WRI, A3.
- 3016 **D114/96** Cheng Laung WRI, A65 ["I never heard of the existence of the court. People were secretly taken out at night. The Khmer Rouge came at night and knocked on the door saying, '*Angkar* has assigned you to work here and there.' Then the person was taken out"]; **D114/239** Sao Men WRI, A20 ["Q: Did you ever see workers being taken away from Bet Trang Worksite? A20: Yes, I did. They took people away even in the daytime. I heard they took those people to CI"]; **D114/239** Sao Men WRI, A22, 26 ["I only know that many people were taken away. [...] A26: So many people were taken away. Some were sent to different places, and some just disappeared"]].
- 3017 **D114/86** Chet Bunna WRI, A4.
- 3018 **D54/90** Kuy Nen WRI, A4 ["Q: Why did the wives of the soldiers who were the chairwomen of the cooperatives tell the base people that? Was it because they wanted to frighten the people, or was it just normal gossip? A4: They told these stories to people because they wanted to frighten them into not making any mistakes"]].
- 3019 **D54/119** Prom Kem WRI, A6.
- 3020 **D54/120** Prom Kem WRI, A3 ["Q: Was there any institution, for instance a court, where people could file a complaint against any of *Angkar*'s activities? A3: There was nothing at all at the time, meaning we had no opportunity to complain about anything at all"]; **D114/96** Cheng Laung WRI, A24 ["We could not complain at all"]; **D114/194** Sorn Sot WRI, A67 ["Q: Were you able to object to the treatment against you and others? Q67: No, we weren't. Who would dare to do so? Who dared to talk about this? If you dared to do so, you would go missing at night"]; **D114/89** Seng Sin WRI, A89-92 ["Q: Was there anyone who refused to work? A89: No, there wasn't. Q: Why? A90: Because they declared that our superiors were traitors. We were scared. We did not dare to refuse any orders rendered to us. Q: Where was your worksite? A91: It was Pra Bok Village. Q: Was there a specific punishment for those who did not work? A92: At that time, if there were people who were considered criminals, they would be sent to a prison"]; **D114/135** Nub Phorn WRI, A41 ["I was afraid of being punished. They would have accused me of being lazy [if I wanted to quit or refused live there] and would have sent me to another place"]; **D54/120** Prom Kem WRI, A3 ["Everything we faced from *Angkar*, the supreme institution, we had to suffer, we had to struggle to endure, and we could not complain to anyone or any institution at all"]].
- 3021 **D54/97** Khoem Yat WRI, A29, A31.

- 3022 **D54/122** Lak Saphan WRI, A6 ["When they sent me to work at the dam to hold back the sea water along Tuek Sap Dstream, I saw Sari come to observe the dam construction. Due to starvation and exhaustion, a person who worked on the dam was only able to dig a small amount of soil with his shovel. Seeing this, Sari told him to dig a lot more soil with the shovel, and he showed that man how to dig a lot of soil. And then the man responded to him, 'You can do it because you eat rice while I eat only porridge, so I cannot do the same as you.' That night, the man disappeared from the place where he stayed, and he has been missing since then"].
- 3023 **D54/120** Prom Kem WRI, A3.
- 3024 **D114/86** Chet Bunna WRI, A9.
- 3025 **D114/94** Sam Vuthy WRI, A30 ["After I had been sent to the mobile unit [...] When I made a request to visit my family, they did not allow me to go"]; **D54/120** Prom Kem WRI, A3 ["We could not contact our families. We only met while working at the worksites and talked and exchanged the fewest words. They did not allow us to have feelings for one another, even between parents and children. Contacts between family to family or village to village or commune to commune were completely cut off"]; **D114/121** Suon Phar WRI, A35-36 ["There was no break. We worked all week every month. [...] A36: We were not allowed to visit family or take leave"].
- 3026 **D54/120** Prom Kem WRI, A3 ["Religious faith, like traditional marriage, was completely forbidden"].
- 3027 **D114/6** Yin Teng WRI, A40-41 ["After my elder cousin's husband and [mine] were taken away, we cried. They saw us crying and punished us by having us stamp 8000 pieces of clay per day in Smach Daeng Village. I had no problems, but my elder cousin fell sick because she had just delivered a baby. She died three days later. Then her baby also died. [...] A41: No one took her to a hospital. She was punished. Those who cried after their husbands were taken away were warned that they would be taken to Puthte Village, a killing site located east of Pou Thoeung Village"].
- 3028 **D54/120** Prom Kem WRI, A3 ["There was nothing at all at the time, meaning we had no opportunity to complain about anything at all. In that era, the people and I had the impression that life had no benefit or purpose at all. It could have been said that we had been born into a life with one plate. Life seemed to have not one ray of light"].
- 3029 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 11.00.45-11.02.08 ["it's also referring to the successful completion of a genocide [...] all of ethnic Vietnamese perished during this period"].
- 3030 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.21.48-09.22.42 ["But by and large, with the demographic estimates, you know, it's thought that perhaps there were then, after this period of expulsions, 20,000 ethnic Vietnamese left in the country. And by the end of DK, virtually all of them are thought to have been killed"].
- 3031 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519836. See also **D114/277.10** Kaing Guek Eav alias Duch, T. 23 Jun 2016, 15.32.46-15.35.50 ["After the 17 April, there were very few Vietnamese in Cambodia and, later on, no Vietnamese were in the country"].
- 3032 While deportation is not charged as a genocidal act, it is relevant to the assessment of *mens rea* for genocide in this case. See *Krstić* AJ, para. 31.
- 3033 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650 ["The CPK had expelled perhaps 150,000 Vietnamese civilians from Cambodia by September 1975"]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.21.48-09.22.42 ["The demographic data is very revealing in this regard that, after an initial period of expulsions that took part -- that took place immediately after the beginning of DK, people weren't sure -- maybe there were 200,000 ethnic Vietnamese or so, roughly, left in Cambodia, maybe 150,000 or more left the country, were expelled"].
- 3034 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650 [citing three members of the DK navy who reported the slaughter in Kampot of Vietnamese who were trying to leave Cambodia in June 1975]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.21.48-09.22.42 ["maybe there were 200,000 ethnic Vietnamese or so, roughly, left in Cambodia, maybe 150,000 or more left the country, were expelled. Some were thought to have been killed"].
- 3035 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.21.48-09.22.42 ["But by and large, with the demographic estimates, you know, it's thought that perhaps there were then, after this period of expulsions, 20,000 ethnic Vietnamese left in the country. And by the end of DK, virtually all of them are thought to have been killed"].
- 3036 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 13.51.38-13.53.24.
- 3037 **D234/2.1.21** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a*

Comparative Perspective, EN 00548857-59 ["Although a few Vietnamese did survive the KR period, they represent the exception and not the rule. In fact, the overwhelming majority of informants expressed the personal opinion that, if Khmer Rouge knew someone was Vietnamese, he or she would disappear or be killed without question. [...] Informants also asserted that if the Khmer Rouge found out someone was Vietnamese, he or she would surely be killed. These examples illustrate how 'ethnic Vietnamese who remained in Cambodia suffered more of an immediate threat to their livelihood because the policies enacted towards them did not tolerate even their mere physical existence.' Duong elaborates on this point by writing that 'The regime did not give ethnic Vietnamese the option to relinquish their ethnic identity as a mechanism for survival. One Khmer Rouge cadre stated, 'If a person was ethnic Vietnamese, it was certain that they wouldn't survive. Once they were discovered, that was it'"]].

3038 **D98/1.2.32** Sao Sarun, T. 6 Jun 2012, 11.25.36-11.27.21 ["That's what I heard at the time, that the Vietnamese were sent back to their country"] *confirming* **D4.1.624** Sao Sarun WRI, EN 00348375 ["Q: Did they talk about driving all of the Yuon from Cambodia? A: That was said, and the speaker was Pol Pot. Later on, I heard my lower-level cadres say that trucks transported the Vietnamese from the provinces of Kampong Cham and Kratie back to their country"]; **D4.1.989** Chea Sim Interview, 3 Dec 1991, EN 00651867-68 ["Pol Pot [...] spoke a lot about the question of Vietnam. He stressed the importance of the issue of evacuating all of the Vietnamese people out of Cambodian territory. [...] We heard it said that Vietnam was an enemy all over the place bit by bit. [...] It was only Pol Pot and Nuon Chea who said this, in speeches to political schools. [...] The conflict became antagonistic in 1975 [...] Because at that time the Vietnamese residents were expelled from Cambodian territory. So it became antagonistic"]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678522 [list of 8 key points made at 20-25 May 1975 meeting, based on interviews of multiple attendees, includes: "7. Expel the entire Vietnamese minority population"]. *See also* **D98/1.2.17** Kaing Guek Eav alias Duch, T. 21 Mar 2012, 11.23.28-11.25.02 ["Pol Pot had ordered the removal -- or had ordered the repatriation of Vietnamese people to Vietnam"]].

3039 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678524.

3040 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678524 ["The party secretary did make one strong, specific point. According to Chea Sim, 'Pol Pot spoke a lot about the question of Vietnam. He stressed the importance of the issue of evacuating all of the Vietnamese people out of Cambodian territory.' Heng Samrin recalls Nuon Chea's adding, 'We cannot allow any Vietnamese minority' to live in Cambodia"]].

3041 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 13.54.29-13.57.50 ["Q: You became the Deputy Commander of Division 1 and Division 1 belonged to the West Zone and operated, broadly speaking, at the coast of Koh Kong Province. Is that correct? A: Yes, that is correct"]].

3042 **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.24.04-09.25.26.

3043 **D4.1.883** *Revolutionary Flag*, Apr 1976, EN 00517854.

3044 **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.12.52-09.14.47 ["During 1977 and '78, there were no Vietnamese people living inside Kampuchea. Those who had lived in Kampuchea before either had left for Vietnam or they had all been killed since 1975"]].

3045 **D4.1.754** U.S. Cable regarding Mayaguez Incident and Observations on Tang Island December 1975, EN 00387429 ["After source was stationed on poulo wai thmei island in April-May 1975, his unit captured a boat carrying more than 10 Vietnamese refugees, including women and children. [...] After they captured the boat, the 408th commander contacted Kampong Som for guidance on the disposition of the refugees"]].

3046 **D4.1.754** U.S. Cable regarding Mayaguez Incident and Observations on Tang Island December 1975, EN 00387429 ["The high command in Kampong Som ordered the commander to kill the refugees. The commander and his deputy carried out the order"]].

3047 **D234/2.1.21** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a Comparative Perspective*, EN 00548856-57 ["according to informants, starting around 1976 or 1977, the Khmer Rouge began collecting the Vietnamese in their village. Informants said that when KR cadres took the Vietnamese away, they used a variety of different excuses, such as reeducation, relocation, work, and arrest. People were generally transported from the village by horsecart and never returned. Informants who attested to the disappearance of Vietnamese people in their villages said that by the end of 1977 or 1978, most if not all of the Vietnamese had disappeared"]].

3048 **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.15.00-09.17.04 ["we had to gather all those 'Yuon' who had lived in Kampuchea and they should be gathered in one place"]].

3049 *See, e.g.,* **D234/2.1.80** Sean Song, T. 28 Oct 2015, 10.00.08-10.01.20 ["Q: Mr Witness, you said that you heard directly from the village chief about the killing of Vietnamese. [...] you said that the village chief heard

– said that the order came from the upper echelon, but he didn't know from which level. Are you still standing by your statement, Mr Witness? A: That statement is correct”].

3050 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 592-593, 596-597, 604, 625, 653, 663, 676, 13432-34, 13436-37, 13642-43

3051 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650 [“Then, on 1 April 1977, the Center did send out a specific order. Left alone for a few minutes while waiting in the office of the district chief of Oudong (Region 15 in the Western Zone), a mechanic named Ros Saroeun surreptitiously read the order. This ‘Directive from 870’ (the CPK Center) instructed local officials to arrest all ethnic Vietnamese, and all Khmers who spoke Vietnamese or had Vietnamese friends, and hand them over to state security forces. Saroeun’s Wife was Vietnamese, and he rushed home to warn her. But as Nayan Chandra reports, she already knew. ‘A Vietnamese woman in the village had been bludgeoned to death by the Khmer Rouge and buried just outside the village after they had sent her Khmer husband to cut wood in the jungle.’ The husband later found his wife’s corpse. Saroeun and his wife managed to disguise her identity”]. *See also* **D4.1.564** Theng Huy WRI, EN 00233300 [“After that, about late 1976 and early 1977 (before the Sao Phim event), there were the killings of the Vietnamese families”].

3052 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 15.57.30-15.58.47.

3053 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 09.50.18-09.58.05.

3054 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.31.00-13.35.23 [“Q: Did all the soldiers or sailors in the battalion, were they all in attendance or required to attend, to the best of your knowledge? A: Yes, it was the policy of the Community Party of Kampuchea. They announced that all soldiers in division 164 needed to attend the training”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.16.24-14.19.00 [“Q: The second part of my previous question is about when you attended the study sessions where information about Vietnamese as hereditary enemies was conveyed. When was that study session held? A: It was in early 1977, when that study session was fully organized for my unit”].

3055 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.36.35-13.38.32.

3056 **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478506 [“Every base area and every unit must organize the study of this document. [...] primarily collectively; then there must be additional study by group or individually”].

3057 **D1.3.34.37** Telegram 59 from Chhon to Office 870, 28 Oct 1977, EN 00185187 [“On October 27 [1977] one enemy [Vietnamese soldier] panicked and hid in a villager’s house. Totally, three enemies were found and caught by Villagers. Now they are being interrogated”]; **D4.1.733** Telegram 95 from Yi to Office 870, 11 May 1977, EN 00143562 [“Externally, as in our previous reports, Vietnamese people have fled [into our country]. Actually, we have arrested five more--two arrested on Route 14 and other three caught in Sambok Sub-District. We are in pursuit of other four in Sre Chih Sub-District. News on the pursuit of enemies at Prek Bao has not heard as yet”]; **D4.1.303** Telegram 47 from Sarun to Office 870, 1 Jan 1978, EN 00324809 [“We would like to report nine Yuon people fleeing from their country. According to their interrogations, they said the Yuon had assigned them to come to spy inside Kampuchea and live with the Kampuchean people in order to grasp the Kampuchean people. Now we have swept them away”]; **D1.3.34.60** Telegram 00 from Mut to Committee M-870, 31 Dec 1977, EN 00184995 [“to defend the socialist Kampuchean motherland by sweeping cleanly away and without half-measures the undercover elements of the enemy, whether the Yuon or other enemies”].

3058 **D1.3.34.8** Telegram 21 from Chhon to Brother Pol, 21 Mar 1976, EN 00185241 [reports the capture of Vietnamese on multiple occasions and an interrogation of a Vietnamese captive]; **D1.3.34.38** Telegram 60 from Chhon to Office 870, 29 Oct 1977, EN 00185189 [reports the victory over an attack in Region 23 and the subsequent capture of the Vietnamese]; **D4.1.303** Telegram from Sarun to Office 870, 1 Jan 1978, EN 00324809 [updates the Yuon situation in Teh City and Dak Dam, and reports the fleeing of Yuon from their country].

3059 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357 [“in sum, the number of Yuon who have been captured and shot to death from 27 March 1978 through 30 March 1978 is 120 head”].

3060 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357 [“There has been [a] delay as regards the Siamese who are to be released, and it has not been achieved according to schedule, the reason for which is the existence of mistakes about names [...] contact for providing comment also has not been achieved as wished as we cannot hear each other by field telephone. We’re reliant on telegrammes from Comrade Launh”].

3061 **D4.1.655** Telegram from Nhim to Angkar 870, 17 May 1978, EN 00143066 [“The meeting asked what

decision is to be made on those with [no-good] elements like soldiers, Vietnamese people --a Khmer husband with a Vietnamese wife or a Vietnamese husband with a Khmer wife--and half-bred Cambodian-Vietnamese people. Given this issue, the meeting would like to pose the question to Angkar 870. It is up to Angkar to decide. Please let us know if there is any decision made by Angkar”].

3062 **D4.1.655** Telegram from Nhim to Angkar 870, 17 May 1978, EN 00143066 [“All in all, these people are worried, though there has not been any opposition as yet. If anyone acts something, let him/her be swept off [killed]. As for others, it is requested that they be put aside in one place. With this matter, I think it is not difficult to collect [them], though we have to control them continually. If they come up with phenomena [aspects] we can master [control] them immediately”].

3063 *See, e.g., D11/44/3* Thann Thim WRI, A20-21 [“Yes, there was a mixture of both Khmer Krom and the Vietnamese. For those who had fair complexion and could not speak Khmer language well like the Khmer Krom people, they regarded them all as the Vietnamese, and eventually they would take them to be killed. Q: Who do you refer to as ‘they’? A21: I referred ‘they’ to the militia unit, and village and cooperative chairpersons”]; **D54/26** Pak Sok WRI, A11-13 [“Q: Did you ever hear about a durian plantation in Ream near the coconut plantation? A11: Yes, I knew these locations. Many Vietnamese were killed at those locations. Q: Can you tell us how many Vietnamese were killed there? A12: To my knowledge, hundreds of Vietnamese were killed there. Q: What military unit was stationed at that plantation? A13: A battalion of about 150 military personnel of Regiment 62 were stationed there. The duty of those military members was to wait and receive the Vietnamese who had been captured and take them to be killed at the durian and coconut plantations”].

3064 **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.14.44-09.18.00 [“Q: Mr. Uch Sunlay, you explained that you believe your wife was targeted for execution because she had Vietnamese background. Do you know why your children that you had with your wife were also targeted for execution? A: Thank you. I know it clearly. My wife was half-blooded Vietnamese, and my children were considered Vietnamese grandchildren. It was known by the Khmer Rouge. And the saying and policy of the Khmer Rouge was fully known by the grassroots that, ‘To dig up grass, one must dig up the roots.’ So when the Vietnamese mother and children were taken, their grandchildren and great grandchildren were considered Vietnamese, KGB agents, and they would be taken as well. I knew this clearly because I witnessed it and I observed it myself”]. *See also D11/94/3* Saoy Yen WRI, A15 [“Q: Did you ever participate in meeting or education session after the arrival of the Southwest Zone cadres? A15: Yes, I did. I attended three meetings led by Ta Loek and Yeay Chan. The meetings were held in the collective dining hall of Reang Kraol Village. These meetings were held to express the cadre hatred of the Vietnamese. We were instructed on the rice production the yield of which would be traded with China in exchange for military equipment. The Khmer Rouge cadres stated their hatred of the ethnic Vietnamese. They stated that they would do everything they could to [get] rid of the Vietnamese. They stated repeatedly that when tree is cut its roots must also be uprooted. The Khmer Rouge perceived us, the Khmer Krom, as being the Vietnamese. They stated that the Vietnamese had to be uprooted completely. It was like sorting the rice. They had to keep only the good rice. They were referring to the purges of the people they wanted to [get] rid of”].

3065 **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.14.44-09.18.00 [“Q: [...] you just mentioned a policy that you heard that when cutting the grass, you had to dig up the roots of the grass. Can you explain what that policy meant? A: Thank you. [...] To my understanding of the slogan that when one digs up the grass, you had to make sure that you dig up all roots of the grass regardless of where they might be, so they had to eradicate everything. It was my understanding at the time of its figurative meaning”].

3066 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 11.00.45-11.02.08 [“the word ‘seed’ [...] is a sort of metaphor for the destruction of what might be called a race, so that’s a root metaphor”].

3067 **D114/36.1.30** Report from Office 401 to Angkar, 4 Aug 1978, EN 00143618 [“2. Activities of enemies burrowed inside [party] [...] These acts were originated from a small number of no-good elements that are henchmen of the enemies or those [whose names and activities] appear in the confessions of the enemies, elements screened out from various units and army, April 17 elements who were former civil servants, and many other Chinese and Vietnamese emigrants. In these above acts, however, they have not been able to inflict any serious acts on us because all of forms of their acts have gradually been perceived by people, our combatants, and cadres who have gradually succeeded in taking steps to remove, screen out, and sweep them by following the party’s guideline and assignment”].

3068 **D114/36.1.30** Report from Office 401 to Angkar, 4 Aug 1978, EN 00315374.

3069 **D1.3.19.4** CPK Directive from Office 870, 1 Jan 1979, EN 00183666.

- 3070 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519833 ["Regardless, I say that there may be some views that the Yuon are very large, the Yuon have a population of 50,000,000 and Kampuchea has only 8,000,000, so how can we win? That would be hard, as they have nearly 1,000,000 troops. I want to tell you about our Army. Our regular forces are less than 100,000 in strength. Ordinarily, they maintain military secrecy, but I want to tell you this because even if I did not, they already know it. Our troops number less than 100,000. So then, can 8,000,000 fight 50,000,000 aggressors? Can less than 100,000 troops fight nearly 1,000,000? If we are talking numbers, we see that we are fewer than they are. So then, we pose the question: How can we win? Fighting and winning, let me tell you, comes from our having to fight and win. That's the first thing"].
- 3071 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519833 ["This stance is the winning stance, not the stance of surrender, not the stance of defeat: it is the winning stance. This is the first thing. Taking this stance, we prepared the combat line of implementing people's war, implementing an effective combat line to defeat the enemy. The Party made the determination to fight and smash large numbers of the enemy's life forces and to protect our forces to the maximum. We the few who attack the many must protect their own forces to the maximum and smash"].
- 3072 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519837 ["This is what is called contradiction resolution, using the small to fight and win against the big. For small to win against big, the small, the few must know how to use a small force to attack and win against a big force. As I told you a moment ago, 1 against 30. When it is 1 against 30, one can fight for 700 more years and still not win. However, if we don't fight this way we will not win, and if it is seen as there are 50,000,000 Yuon and we have only 8,000,000 and we give in, we cannot win, as this is already losing to them"].
- 3073 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519834 (*emphasis added*).
- 3074 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 10.56.47-10.57.56.
- 3075 **D4.1.617** FBIS, *Past Year's National Defense Efforts Reviewed*, 10 May 1978, EN 00294787 ["as we mentioned earlier--that is to say 1 against 30. If we can use one against 30, we will certainly win, even if this fight lasts 700 years or more. But, if we do not adopt this line, we will not win"].
- 3076 **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.54.58-09.56.22 ["Q: Did you also hear during the DK period that the Vietnamese, whether they be from within or from outside of Cambodia, were the hereditary enemies of the Khmer? A: I heard of it. Everyone heard of it, that they were hereditary enemies"]. *See also* **D54/23** Pak Sok WRI, A32 ["the Thais had not have much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that's why the Vietnamese were considered the Hereditary Enemy and Enemy Number One"].
- 3077 **D4.1.195** Statement of the Communist Party of Kampuchea to the Communist Workers' Party of Denmark, 30 Jul 1978, EN 00016999 (*emphasis added*). *See also* **D1.3.27.26**, **D4.1.91** DK Military Meeting Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977, EN 00933843 ["Are the Yuon able to attack us? If they have no forces on the inside, they will be unable to attack us. They will be unable to attack us militarily, because we, too, are experienced in fighting, as long as they are unable to bore into us"].
- 3078 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.27.32-09.28.42 ["you have this threat of long-standing animosity and vitriol towards ethnic Vietnamese in Cambodia that was mobilized almost from the start"]. *See also* **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00237839-40 [describing the start of the "purification" program in 1971: "they struck first at Vietnamese nationals living in their areas in eastern Cambodia"].
- 3079 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 14.22.47-14.23.42 ["I mentioned before with regard to ethnic Vietnamese, I think that that term there is more of a streak of racism that's there from the very beginning that is a current that is running. And I think that especially after tensions -- though there is a temporal aspect in the sense there's tensions with Vietnam -- increased, the likelihood that some of those ethnic Vietnamese could reform their consciousness decreased. Though, I expect that the sort of pre-existing animus that existed towards ethnic Vietnamese had its own sort of strong current that led toward their targeting and elimination"].
- 3080 **D1.3.27.24** DK Military Meeting Minutes, *Minutes of the Meeting of Division 920*, 16 Dec 1976, EN 00185237 ["Enemy situations: Internally, there have been no changes since the Organization decided there should be a purge. There was no guarantee that a regimental cadre named 01, who had once been in a Vietnamese unit of organization, lacked a spirit of responsibility and is in poor health, could serve the unit of organization. It was decided to gather to gather in one place almost 100 persons who came out of Vietnamese units of organization, at Meung Mang village, near the Au Ter rapids. [...] Problems Inside Units of

Organization. On the matter of those who used to be with the Vietnamese: do not allow them to concentrate. They must be split up and sent to be carpenters and waterjar makers and the like, interspersed with forces belonging to us whose stance is solid”].

3081 **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.12.52-09.14.47 [“And now I am referring to the war between Kampuchea and Vietnam between ’77 and ’78. We, staff at S-21, were told that Vietnamese were the hereditary enemy of the Communist Party of Kampuchea, that we intended to retake the part of the Cochinchine, that is, Kampuchea Krom. And these instructions were relayed by Son Sen and Duch to us at S-21 during a political study session”]. See also **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.55.47-10.58.13 [“The status of the Vietnamese were greatly different from that of the Thai. The Vietnamese were considered as the hereditary enemy of Pol Pot, so regardless of whether they were military or civilians, when they had guns and shot at us, they must be shot and sunk”]; **D234/2.1.21** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a Comparative Perspective*, EN 00548862 [“Most informants remembered hearing KR leaders in village meetings and everyday conversation repeatedly call the Vietnamese the ‘historical enemy’ and refer to Vietnam’s past exploitation and abuse of Khmer people such as in the ‘Tae Ong’ incident”]; **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00238040 [“In propaganda Vietnam became the ‘historic’ enemy, incapable of rising above its historic mission to conquer Cambodia, rather than a socialist neighbor”].

3082 **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428289 [“The Yuon enemy has committed aggression against us and swallowed our territory and committed genocide against our Kampuchean race from one generation to the next. They have been our national enemy from the beginning up through the present, and will be our enemy in the protracted future as well”].

3083 **D64.1.46** FBIS, *Nuon Chea Hosts Banquet*, 18 Sep 1978, EN 00170388 [“We are deeply moved by the vigorous and active support which the CCP, NPC, the PRC Government and the Chinese people are giving our Kampuchean people’s just struggle against the Vietnamese enemy’s acts of territorial expansion annexation and aggression, its Indochina federation strategy and its expansionist plan and that of the expansionist power in Southeast Asia. We are deeply moved by the Chinese support for Kampuchea’s efforts in defending, preserving, strengthening and developing its revolutionary gains and in defending and preserving its independence, sovereignty and territorial integrity and the right of the Kampuchean people to determine their own future”].

3084 **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.54.58-09.56.22 [“Q: Now I’d like to turn back to the situation concerning Vietnam. In 1977-1978, did you ever hear people describe Vietnam as ‘enemy number one of Democratic Kampuchea’? A: I heard of it. I heard of people say about that. And the situation at the border encountered clashes”].

3085 **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.54.58-09.56.22. See also **D11/94/3** Saoy Yen WRI, A15 [“The Khmer Rouge cadres stated their hatred of the ethnic Vietnamese. They stated that they would do everything they could to [get] rid of the Vietnamese”].

3086 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.31.21- 13.35.23 [“I actually was a soldier in Division 164. After 1976, there was a training session, and they announced clearly about the hereditary enemy of the Khmer, that was ‘Yuan’”]. 13.36.35-13.38.32 [“We were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them. So it was the responsibility of each battalion that received exact instructions”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.16.24-14.19.00 [“Q: [...] And also on the study sessions that you attended on the island that when you learned the instructions that Vietnamese were [...] Kampuchean hereditary enemies, did you attend these study sessions at the beginning of your stay on the island or whether it was towards the end of your stay on that Poulo Wai Island? A: I was on Potti Wai Island after my engagement in relation to the American activities and I remained there until 1977 [...] It was in early 1977, when that study session was fully organized for my unit”].

3087 **D234/2.1.33** SWB, *Phnom Penh Rally Marks 17th April Anniversary*, 16 Apr 1978, EN S 00010558.

3088 **D234/2.1.33** SWB, *Phnom Penh Rally Marks 17th April Anniversary*, 16 Apr 1978, EN S 00010563.

3089 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519837 [“To defend Kampuchean territory means to defend the Kampuchean race. If the Yuon are able to take it, the Kampuchean race will be gone within 30 years”]. EN 00519842 [“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? We will lose our territory and then lose our race too if we do not defend them. The Yuon will keep coming, 1,000,000 a year, 2,000,000, and will be out of territory and will have lost our race”]; **D234/2.1.21** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a*

- Comparative Perspective*, EN 00548862 ["In these episodes of disparate treatment, both ethnic and political factors were at play. As soon as the Khmer Rouge took power, it publicly announced that there was to be only a Khmer race and began the regime's pursuit for an ethnically pure Democratic Kampuchea"].
- 3090 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678636 ["After Chan's late 1975 promotion, Ouch Bun Chhoeun joined the Region 21 Party Committee. Chhoeun's 1980 account avoided mention of the 1975 violence, but admitted the very inadequate living conditions of the people of Krauchhmar 'the toughest area of all.' Asked about the Chams, Chhoeun replied: There was no policy of [allowing] minority nationalities. Everyone was mixed together. There was only one race—the Khmer [...] from liberation in 1975. Pol Pot was very close to the Jarai and other minorities but he scattered the Islamic race"]; **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00237947-48 ["All citizens had to be proper Kampuchean worker-peasants, as defined by the revolution, which meant not Vietnamese, Chinese, or Cham and only what the party considered Khmer. Part of the Khmer Rouge mission was to revive the glory and honor of Cambodia and to ensure the perennality of the reinvented Kampuchean race as Pol Pot himself said"].
- 3091 **D4.1.883** *Revolutionary Flag*, Apr 1976, EN 00517853. *See also* **D4.1.45** *Revolutionary Youth*, Jan-Feb 1978, EN 00278717 ["It is imperative to always see the life-and-death contradictions with every type of external enemy, in particular the aggressive expansionist territory-swallowing Yuon enemy and their clique"]; **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185333 ["The heads we must attack are CIA, Yuon and [KGB]"].
- 3092 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.26.07-09.27.32.
- 3093 **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 09.27.32-09.28.42 ["I think it's also important, both with ethnic Vietnamese and ethnic Cham, to also sort of look at the historical flow because I think, as I talked about with the notion of cumulative radicalization, there are also differences in the flow depending on the degree of threat that was felt by the DK regime. So in 1976, actually, the rhetoric became much stronger as tensions and open conflict with Vietnam escalated into 1978, but I think it seems pretty clear that they're talking about a purification"].
- 3094 **D4.1.193** Nuon Chea Speech, 3 Sep 1978, EN 00065915 ["Through this, the people and the Revolutionary Army of Kampuchea have also crushed the Vietnamese strategy of 'Indochina Federation' aiming at swallowing the Kampuchea's territory and exterminating the Kampuchea's race, and thus inflicted an ignominious defeat on the Vietnamese strategy 'lightning attack, lightning victory'"].
- 3095 **D64.1.39** FBIS, *Government Statement Appeals for Aid to Combat SRV Aggression*, 2 Jan 1979, EN 00169295 [Khieu Samphan: "all of the Kampuchean people [...] are united as one and making every effort to the best of their ability and potentiality to smash the acts of aggression expansion and anti-Kampuchea genocide that Vietnam"].
- 3096 **D98/1.2.40** David Chandler, T. 20 Jul 2012, 16.02.14-16.03.42 ["By the end of 1978, they had a policy of eliminating the Vietnamese. [...] their public statements began to refer to the 'puch' -- or the race, the Cambodian race. It was not a word they'd used much before. [...] It's a term that was meant to encourage the Cambodian citizens to pursue, engage, and win a race war against the Vietnamese and, by extension, not against the Cham, but against anyone else in the country who was not Khmer" (*emphasis added*)].
- 3097 **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428289 ["The national duty of all of us is to struggle to fight to eliminate our aggressive, expansionist, territory-swallowing and genocidal Yuon enemy. Just like the Kampucheans of our current generation, absolutely no Kampucheans of any subsequent generation will lay down arms and stop fighting the aggressive and expansionist/territory-swallowing and genocidal Yuon enemy of the Kampuchean race"].
- 3098 **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185333 ["To sum things up[,] on the other side in the contradiction with us are the CIA, the Yuon and the KGB, and among these the Yuon are the most noxious and acute. Proceeding from such an analysis of this acute life-and-death contradiction, what are our attack measures? 1. Our sharpest attack is on the aggressive, territory-swallowing Yuon. 2. At the same time, we attack the CIA and KGB. We attack simultaneously, but we pay most attention to attacking the [Yuon] because they are the most noxious and acute"].
- 3099 **D4.1.605** Instructions of Office 870, 3 Jan 1978, EN 00296007.
- 3100 **D4.1.605** Instructions of Office 870, 3 Jan 1978, EN 00296008 ["This direction shall be distributed and studied in the Zone, Sector, and District Party Committees, in the cooperative committees, in the battlefield committees, divisions, committees, regiments, battalions, companies, platoons, squads, combatants, and the command committees in each target area for them to absorb again and again, to constantly draw experience, and to constantly improve implementation"].

- 3101 **D4.1.605** Instructions of Office 870, 3 Jan 1978, EN 00296009.
- 3102 **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478496.
- 3103 **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478496. *See also* **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478501 [“imperative to indoctrinate and whip-up the masses into a force to seek out the enemy, assess the enemy, analyze the enemy, track the enemy, pressure the enemy, capture the enemy, to smash the enemy, and to make the enemy be like a rat surrounded by a crowd of people beating and smashing it”].
- 3104 *See, e.g.,* **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478500 [“They, the ‘CIA’ part, the ‘KGB’ part, and the ‘Y[uon]’ part still strive to struggle free to continue their criminal activities. This is a view that we must be constantly clear on in order to have a high-level spirit of revolutionary vigilance to resist and eradicate the enemy in advance with constant mastery”]; **D4.1.866** *Revolutionary Flag*, Feb 1978, EN 00464065 [“Beloved Comrades, Seeing our great victories over the Yuon aggressor: - With the entire Party in monolithic unity to lead the fight to eradicate the enemy”].
- 3105 *See, e.g.,* **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478502 [“One very important issue that has to be concentrated on is clearly unmasking again and again the ‘CIA’ and their agents, the ‘KGB’ and their agents, the territory swallowing ‘Y[uon]’ and their running dogs throughout the whole Party, throughout the whole Army, and throughout the people and attacking and breaking the enemy politically and preventing them forever from sneaking into our Party, our Army, and our people. As for their old roots, some of whom still remain after we have smashed them to bits, it is imperative to whip-up the people to sweep more of them clean and make things permanently clean”].
- 3106 *See, e.g.,* **D4.1.303** Telegram 47 from Sarun to Office 870, 1 Jan 1978, EN 00324809 [“We would like to report nine Yuon people fleeing from their country. According to their interrogations, they said the Yuon had assigned them to come to spy inside Kampuchea and live with the Kampuchea people in order to grasp the Kampuchean people. Now we have swept them away”]; **D114/36.1.30** Report from Office 401 to Angkar, 4 Aug 1978, EN 00143624 [“Our measures taken against these above enemy acts: Continue to investigate and search for enemies of all kinds who have hidden and burrowed [inside the revolution], and cleanly sweep them thoroughly from inside of various bases, units, offices and ministries”].
- 3107 *See, e.g.,* **D4.1.374** FBIS, *Revolutionary Army Adopts Resolutions on SRV Dispute*, 4 Jan 1978, EN 00169539 [“Struggle to eliminate all kinds of private, individualist concepts from ourselves as well as from the ranks of the entire Revolutionary Army and strive to build ourselves and our units into constantly strong bodies in line with the party’s proletarian collectivist stand in order to fight and exterminate the annexationist Vietnamese enemy and other enemies of all stripes so that they will be completely wiped out from our Cambodian territory and country and so that the nation’s honor will be preserved and the country’s building efforts can be carried out well and rapidly at a great-leap-forward speed”].
- 3108 *See, e.g.,* **D4.1.374** FBIS, *Revolutionary Army Adopts Resolutions on SRV Dispute*, 4 Jan 1978, EN 00169538 [“After hearing the statement of the Government of Democratic Cambodia broadcast on 31 December and repeated on 1 and 2 January 1978, appealing to the entire party and army as well as all the people to uphold revolutionary vigilance and raise high the militant banner in order to counter and exterminate the annexationist Vietnamese enemy, our male and female combatants and the cadres of the three Revolutionary Army services—ground, naval and air forces—both at the front and in the rear area, held a meeting, as did all the Cambodian people throughout the country, to support this statement in a firm, determined, but calm and enthusiastic manner. During this meeting they expressed their seething anger and indignation at the annexationist Vietnamese enemy”].
- 3109 *See, e.g.,* **D4.1.893** *Revolutionary Youth*, Oct 1978, EN 00539998 [“even more importantly, it is to ready food supplies to feed the combat forces of our Revolutionary Army on the forward battlefields so there will always be plenty of food to prepare to break and smash the dry season invasion plan of the expansionist territory-swallowing genocidal Yuon enemy and defeat and scatter them even more seriously up to the point that they are completely defeated and liquidated”].
- 3110 **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428289 [“Our country, our people have honour and a well-known name because we have striven to build up the country by self-support and by mastery independence. The Yuon stink to high heaven and are degradingly despised as nothing, because the Yuon think only of carrying around a begging bucket and walking around with a cane to beg for charity in every nook and cranny”].
- 3111 **D69.1.21** Khieu Samphan Speech, 17 Apr 1978, EN 00280397 [“The fact that we successfully defended our country by smashing the destructive activities of the American imperialists and their lackeys, the fact that we successfully shattered the destructive activities of the expansionists, annexationists and reactionary forces of

all sorts, especially the criminal acts of the aggressor, Vietnam, which wants to grab and annex our territory”].

3112 **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185333 [“The forces that have been opposing our revolution were organized as traitorous networks in Kampuchea by CIA organs representing American imperialism and other reactionary forces and the Yuon and Soviets. [...] They had already organized such forces, they are organizing them now, and they will continue to organize them. All such opposition forces are CIA, Yuon and Soviet espionage agents, and it is these forces that we must attack. To sum things up[,] on the other side in the contradiction with us are the CIA, the Yuon and the KGB, and among these the Yuon are the most noxious and acute”].

3113 **D234/2.1.33** SWB, *Phnom Penh Rally Marks 17th April Anniversary*, 16 Apr 1978, EN S 00010558 [“the greedy Vietnamese [who] have the evil intention of swallowing up our Cambodian territory”].

3114 **D1.3.17.3** DK Ministry of Foreign Affairs Report, *Black Paper*, Sep 1978, EN 00082517 [“Yuon is the name given by Kampuchea’s people to the Vietnamese since the epoch of Angkor and [which] means ‘savage’. The word ‘Vietnam’ and ‘Vietnamese’ are very recent and not often used by Kampuchea’s people”]; **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00237827 [“The Cambodian communists would call the Vietnamese communists ‘Yuon,’ which they said was synonymous with savage”].

3115 **D1.3.29.5** Pol Pot Statement, 5 Jan 1979, EN S 00017564-65 [“The whole people of Kampuchea are determined not to accept to be lackey of the Vietnamese, not to lose their own nation, not to let the Vietnamese oppress, exploit and plunder them at will. The Vietnamese enemy have increased and are increasing contradictions between them and the whole Kampuchea’s nation and people. These contradictions are very deeply rooted and more and more increasing from day to day”].

3116 **D4.1.862** *Revolutionary Flag*, Apr 1977, EN 00478496 [“Y[uon]’ agents [...] 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”].

3117 **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428303-04 [“CIA agents, Yuon running-dog agents and KGB agents have spread the fire of the quick-burning flames of national and class hatred have been broadly transformed into a great mass movement to eliminate the aggressive, expansionists, territory-swallowing Yuon enemy”].

3118 **D4.1.868** *Revolutionary Flag*, Apr 1978, EN 00519842 [“Enemies from near and far come to make propaganda and deceive and defraud us and frighten us, to make us fear the enemy. They must be eradicated. Do not let those germs bore inside among our people, our Party, our Army. 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”].

3119 **D4.1.869** *Revolutionary Flag*, Jul 1978, EN 00428303-04 [“national and class hatred have been broadly transformed into a great mass movement to eliminate the aggressive, expansionists, territory-swallowing Yuon enemy and to sweep cleanly away the concealed enemies boring from within”].

3120 **D1.3.17.3** DK Ministry of Foreign Affairs Report, *Black Paper*, Sep 1978, EN 00082543 [“The population of Kampuchea seethed with deep hatred towards the Vietnamese so that it was not necessary to conduct campaigns to arouse it. The Vietnamese who raped girls were punished. They kept on creating incidents. The high levels of the Communist Party of Kampuchea have always strived to smooth things over as much with the Vietnamese as with the population”].

3121 **D1.3.17.3** DK Ministry of Foreign Affairs Report, *Black Paper*, Sep 1978, EN 00082516 [“The Vietnamese have often resorted to these sordid methods consisting of selling their girls in order to achieve their annexationist ambitions. Today they still do not hesitate to carry out the same repugnant methods to swallow the other country’s territories”].

3122 See, e.g., **D4.1.554** Lay Ien WRI, EN 00278691 [“During our fighting in Vietnam, my group and I threw the grenades, burned the houses, military hospitals, ammunition storages and saw mills. [...] In each of our operation, my group and I captured 4-10 Vietnamese. Some were men and most were women”].

3123 **D54/74.1.15** Khieu Samphan, *Cambodia’s Recent History and the Reasons Behind the Decisions I Made*, EN 00103759-60 [“There is no doubt that the Khmer Rouge made forays into Vietnamese villages along the border, committing appalling crimes against Vietnamese civilians. When I learned of these medieval-type cruelties, I became quite despondent”].

3124 **D69.1.6** SRV Ministry of Foreign Affairs, *Facts and Documents*, Jan 1978, EN 00187275 [“At many places Kampuchea troops have perpetrated utterly inhuman crimes, raping, tearing foetuses from mothers’ wombs, disembowelling adults, burning children alive. Many entire families have been butchered. Kampuchean

- troops have caused very great losses in lives and property to the local population. At some places thousands of inhabitants have been killed or wounded, thousands of houses and property of other kinds destroyed, and tens of thousands of civilians have had to move farther from the border for security. The peaceful labour of the Vietnamese people along the border is being seriously sabotaged”], EN 00187288.
- 3125 **D4.1.606** Telegram 18 from 47 (Son Sen) to Brother Van (Ieng Sary), 8 Apr 1978 [“The enemy that struck into Sector 24 at Trapeang Pream and Baray has been attacked and totally broken by us, and has withdrawn to the rear. We hit and burned all of their five tanks. Their forces were killed and wounded in large numbers. We attacked and entered the Dong Thap population center and the market south of Trapeang Pream and Tan Chau; we killed and wounded many hundreds of them and burned hundreds of houses”].
- 3126 **D4.1.96** Mam Nai alias Chan S-21 Interrogator’s Notebook, EN 00184607 [describing the “situation between us and the Yuon in the East” including the attacks within Yuon territory as being a victory and “achiev[ing] the principle of 1[-]30”].
- 3127 **D4.1.624** Sao Sarun WRI, EN 00348375 [“Did they talk about driving all the Yuon from Cambodia? A: That was said, and the speaker was Pol Pot. Later on, I heard my lower-level Cadres say that trucks transported Vietnamese from the provinces to Kampong Cham and Kratie back to their country”]; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678522 [“The earliest account dates from mid-1980 [...] Chhouk told Song that Pol Pot had made eight points: [...] 7. Expel the entire Vietnamese minority population”], EN 00678548 [“both Pol Pot and Nuon Chea had announced at the May 1975 meeting their plans to remove the entire Vietnamese minority from Cambodia [...] The CPK ordered them out before July 1975. By late September, over 150,000 Vietnamese residents of Cambodia had been rounded up and sent to Vietnam”].
- 3128 **D11/58/3** Tak Sann, T. 1 Apr 2015, 13.12.57-13.15.33 [“I left Kampuchea Krom when there was the Vietnamese exchange program”]; **D11/44/3.1** Beng Boeun, T. 2 Apr 2015, 14.40.35-14.43.53 [“I was told that Angkar would send the Vietnamese back to their country although I did not know about the exchange programme”]; **D11/44/3.2** Thann Thim, T. 21 Apr 2015, 09.36.50-09.39.15 [“there was a swap between Vietnamese and Cambodians”]; **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 09.12.53-09.14.21 [“I went to live in Vietnam and by February 1976, I was exchanged to come and live in Cambodia”]; **D11/61/3** Ry (Peou) Pov WRI, A81-82 [“I knew nobody because the people living in Popel Commune were in the second phase of exchanges [...] There were two phases of exchanges between the Vietnamese and Khmer Krom people [...] Q: When was the second round of exchanges made? A82: It was in 1976, around half a month after the first round of exchanges”]; **D4.1.806** Cheang Sreimom WRI, A14 [“Q: In your village, were there Cham and Vietnamese ethnics? A14: There were few, they were newly evacuated. In late 1976, there was announcement by the commune chief, they would send Vietnamese ethnics back to their country”].
- 3129 **D234/2.1.72** Pech Chim, T. 24 Apr 2015, 10.08.15-10.10.50 [“The Vietnamese people issue had been resolved when they were exchanged to return to Vietnam”].
- 3130 **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 09.21.01-09.22.53 [“Q: [...] you fled to Vietnam, you stayed there for a few months until February 1976, as you said earlier, and it’s then that you and your family decided to return to Cambodia through this exchange programme [...] A: That is correct. At that time, I didn’t know anything about the policies of the Khmer Rouge, together with other Cambodians who fled to live in Vietnam”]; **D11/91/3** Yem Khonny, T. 3 Apr 2015, 09.11.53-09.13.40 [“Q: [...] Can you also tell the Court whether you and your family volunteered to come to Cambodia? Or was your transfer arranged by any authority? A: We were not forced by anyone. We heard that we would all should go to the upper part of Cambodia as there was abundance of food but on the contrary we were given only little gruel mixed with little vegetables or water lily and it was not enough”].
- 3131 **D11/61/3** Ry (Peou) Pov WRI, A19 [“Q: I am not sure whether you knew the number of the Vietnamese being exchanged with Khmer Krom people at the time. How many Vietnamese were possibly there? A19: The number of people on both sides was equal – around 2,000 people each”]. *See also* **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 09.27.33-09.29.12 [“To my knowledge, the number of people who fled to live in Vietnam from my village, there were 1,000 families and we were put into one location in Vietnam. [...] I still recall that there were about 1000 to 1,500 families. And when we returned to Cambodia, we were divided into three different phases. And for my batch, I travelled first with other families and then there were other batches who would be returned later”].
- 3132 **D4.1.883** *Revolutionary Flag*, Apr 1976, EN 00517854.
- 3133 **D4.1.883** *Revolutionary Flag*, Apr 1976, EN 00517853.
- 3134 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 14.01.32-14.04.02 [“I heard the unit chief said that those Vietnamese who had been gathered were subject to be returned to Vietnam. They also made an

- announcement if anyone wished to go at that time, they should go”].
- 3135 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 14.01.32-14.04.02 [“At that time, I was in my cooperative and there were about 20 to 30 people on that boat”].
- 3136 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 14.01.32-14.04.02 [“Q: Did you see any boats going in the direction of Vietnam from where you were at on Ta Mov island at any time? A: I saw they round[ed] up people and put [them] into a covered boat along the river and that was the boat that I saw”].
- 3137 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 14.05.45-14.07.50 [“I heard the woman speaking [...] Vietnamese, and then they called her to meet them and then they pulled her by her hair and beat her up. Two days later she was sent to Seh Slab (phonetic) and later on further to Vietnam and from that time onward, she disappeared”].
- 3138 **D234/2.1.83** Choeung Yaing Chaet, T. 7 Dec 2015, 13.54.00-13.57.57 [“Ta Ly was able to send us to Vietnam when Angkar made an exchange of salt and rice with Vietnam. That’s all I know. At that time, I was able to hide in the boat”].
- 3139 **D234/2.1.84** Choeung Yaing Chaet, T. 7 Dec 2015, 11.29.56-13.57.57 [recounting how his whole family was killed, and how he stayed with Ta Ly after that event. After 2 months, Ta Ly left for Vietnam, taking Choeung Yaing Chaet with him].
- 3140 **D234/2.1.83** Choeung Yaing Chaet, T. 7 Dec 2015, 15.15.45-15.17.10 [“Q: [...] when you were initially travelling on Mr Ta Ly’s boat and you were headed towards Phnom Penh, did you see many other boats? And if so, can you give an approximate number of how many boats you saw? A: Yes. Some people had already been on the ferry. And along my boat, I noticed there were around 60 or 70 other boats on the way to Phnom Penh”].
- 3141 **D234/2.1.83** Choeung Yaing Chaet, T. 7 Dec 2015, 13.57.57-14.01.49 [“We were travelling on a boat, and after we reached Tonle Buon Mukh in front of the Royal palace, we were able to board the ferry that was already there fore the exchange for salt and rice, and from Tonle Nuon Mukh we left for Neak Loang by boat [...] At that time, I boarded a ferry with about 50 or 60 more people”].
- 3142 **D234/2.1.83** Choeung Yaing Chaet, T. 7 Dec 2015, 14.11.57-14.15.56 [“Q: When you arrived at Neak Loang, what happened to the Vietnamese people on the boat? A: So that they could negotiate with the Vietnamese side, when we got off the ferry they counted heads. And then in exchange, the Vietnamese returned rice and salt”].
- 3143 *See, e.g.,* **D4.1.795** Sau Khon WRI, EN 00398865 [“During mid 1977 there was propaganda that they were having anyone who was Vietnamese to return to Vietnam in a trade for Cambodian families that were living in Vietnam [...] those families boarded the trucks together, and they were all taken away and killed”].
- 3144 **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.27.00-09.29.10 [“In late 1978, my mother-in-law, Nguyen Thi Be, who was an ethnic Vietnamese, was asked by Khmer Rouge militiamen to get on a truck at Krakor pagoda located in Krakor commune, Kracheh district, Kratie province. She was supposed to be deported to Vietnam. They were taken away for execution along with –along the way to Mountain 5000 located in Snuol district, Kratie province”].
- 3145 **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.23.44-09.26.15 [“I did not know as to how the execution was carried out. I just knew that they were executed there. I learned this information later on from a driver by the name of Ang”].
- 3146 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650 [“On the coast of Region 37, officials again called on ‘Vietnamese’ to volunteer for repatriation. Two groups of volunteers assembled in 1977, including Chinese ‘and even some Khmers who did not want to stay,’ hoping to pass themselves off as Vietnamese. Both groups were allegedly massacred in turn”].
- 3147 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650 [“On the coast of Region 37, officials again called on ‘Vietnamese’ to volunteer for repatriation. Two groups of volunteers assembled in 1977, including Chinese ‘and even some Khmers who did not want to stay,’ hoping to pass themselves off as Vietnamese. Both groups were allegedly massacred in turn”].
- 3148 **D4.1.754** U.S. Cable regarding Mayaguez Incident and Observations on Tang Island December 1975, EN 00387429.
- 3149 **D234/2.1.80** Sean Song, T. 28 Oct 2015, 10.00.08-10.01.20 [“Q: [...] Mr Witness, you said that you heard directly from the village chief about the killing of the Vietnamese. [...] you said that the village chief heard – and said that the order came from the upper echelon, but he didn’t know from which level. A: That statement is correct”]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 11.08.20-11.10.02 [“Q: [...] Who -- in terms of entity or body, who was leading that campaign? Where was that coming from, in general? A: The [...] CPK Standing Committee would be the apex of control in terms of disseminating the Party line propaganda,

ideology and giving orders that would go down and run throughout the country. And also mobilizing the army, of course”].

3150 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 15.58.47-16.00.12 [“Q: Were there many Vietnamese who hasn’t returned to Vietnam and who had to be smashed? [...] A: Yes there were”]; **D234/2.1.97** Khouy Muoy, T. 1 Mar 2016, 14.22.36-14.24.28 [“Q: Did you ever hear any Khmer Rouge state that Vietnamese who did not leave Cambodia would be smashed? A: I heard that because even in my village people had been taken away and smashed. I knew this”]; **D234/2.1.82** Sao Sak, T. 3 Dec 2015, 14.43.03-14.45.41 [“Anyone who was related to Vietnamese origin would be taken away and killed”]; **D234/2.1.100** Alexander Hinton, T. 15 Mar 2016, 11.07.20-11.08.20 [“Q: [...] in your opinion, based on interviews you have had, the propaganda you have reviewed and the research you have done, were Vietnamese civilians living in Cambodia targeted for killing during the DK regime? A: Yes, the case seems strong and compelling”].

3151 *See, e.g.*, **D4.1.523** Ban Seak WRI, EN 00360759 [“Q: At that time, was there any purges of the Vietnamese? A: All Vietnamese were executed [...] However, not only all Vietnamese were executed, but also the Khmer in the North (Kampuchea Krom) who had been educated by the Yuon and returned to work as the Khmer Rouge cadre were smashed”]; **D114/36.1.38** Saom Ruos WRI, EN 00234112 [“They killed those connected to the Vietnamese and those connected to Sao Phim”]; **D114/36.1.40** Chuy Kimya WRI, EN 00231651 [describing his father’s arrest and disappearance due to his Vietnamese ethnicity]; **D4.1.803** Chin Kimthong alias Chhang WRI, A12 [“Q: Please describe the numbers and types of prisoners in the Au Kansaeng Security Office. A12: [...] there were some ethnic Vietnamese as well. The Vietnamese prisoners were only there in late 1978 during the time of the strong clashes along the Vietnamese border”]; **D11/120/3** Ven Van WRI, A52 [“Q: How did you know that your wife and other five Vietnamese families were taken away to be killed at Tuol Kakaoh? A52: [...] I learned from a relative who worked at Phum Veal. That relative told me, ‘Your wife stayed there only two days before she was taken to be killed’”]; **D114/36.1.42** Van Mao WRI, EN 00234119 [recounting that his father and another family were arrested and taken away for being ethnically Vietnamese]; **D114/36.1.54** Chan Roeun WRI, EN 00284772 [“I saw a mixed-race Vietnamese woman along with an about six-year-old daughter being arrested and taken away by the sub-district chief [...] I heard from the villagers that she taken to be killed at Prey Chak”]; **D114/24** Ou Dav WRI, A192-193 [“His wife was Khmer Krom [...] A193: At that time, the Khmer Rouge reviewed their biographies and arrested them to be killed, including the child with whom his wife was pregnant”]; **D4.1.801** Chhaom Se WRI, A12 [“before the strong Vietnamese attacks in 1979, I saw that a group of six Vietnamese (civilians) had been taken prisoner on the Au Ya Dav Village battlefield”]; **D54/71** Mut Mao WRI, A39 [“I saw them take an old Yuon lady and two or three children to be killed in the Inner Office compound”].

3152 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650 [“Then on 1 April 1977, the Center did send out a specific order. [...] This ‘Directive from 870’ (the CPK Center) instructed local officials to arrest all ethnic Vietnamese, and all Khmers who spoke Vietnamese or had Vietnamese friends and hand them over to state security forces”]; **D1.3.17.1** Elizabeth Becker, *When the War Was Over*, EN 00237947 [“There was also a new directive, in the middle of 1977, to kill off a new category of enemy – people of Vietnamese ancestry”].

3153 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.27.47-14.31.25 [“I attended the congress of the West Zone in Kampong Speu Province held at a coconut plantation in Chbar Mon District in 1977”].

3154 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.33.55-14.35.36.

3155 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 16.06.12-16.07.30 [“The first thing that I differentiated is that they spoke with accent, they spoke Khmer with accent and, secondly, through their neighbours. They knew them and how long they had lived in the area. Because for them, although they speak the Khmer language fluently, the local villagers would know that they were ‘Yuon’. And they told us”].

3156 **D234/2.1.97** Uch Sunlay, T. 1 Mar 2016, 15.51.45-15.53.08 [“I was not aware whether the Angkar had assigned their workers to investigate who were Vietnamese. In fact, in villages and communes, the cadres and Khmer Rouge were aware of the activities that we were doing and who belonged to which families”].

3157 **D234/2.1.84** Prum Sarun, T. 8 Dec 2015, 13.30.52-13.34.00 [“I lived in Phnom Sampov commune, Banan district, Battambang province [...] I was simply chief of a platoon”].

3158 **D234/2.1.84** Prum Sarun, T. 8 Dec 2015, 13.45.34-13.48.08 [“Q: [...] What circumstances were you asked about the Vietnamese? A: He approached me individually [...] and I reported to him that there were no ‘Yuon’ within my unit”].

3159 **D234/2.1.84** Prum Sarun, T. 8 Dec 2015, 13.48.08-13.50.19 [“‘To handle’ means ‘to have them killed’”].

3160 **D114/36.1.30** Report from Office 401 to Angkar, 4 Aug 1978, EN 00143618 [“2. Activities of internal”].

enemies burrowing inside [party] In general, internal enemies burrowed inside [party] during this month have much more gradually and intensely committed acts like encouraging [people], drilling conflicts, fighting [us], and opposing in all forms. These acts were originated from a small number of no-good elements that are henchmen of the enemies or those [whose names and activities] appear in the confessions of the enemies, elements screened out from various units and army, April 17 elements who were former civil servants, and many other Chinese and Vietnamese emigrants. In these above acts, however, they have not been able to inflict any serious acts on us because all of forms of their acts have gradually been perceived by people, our combatants, and cadres who have gradually succeeded in taking steps to remove, screen out, and sweep them by following the party's guideline and assignment"].

3161 **D114/36.1.30** Report from Office 401 to Angkar, 4 Aug 1978, EN 00143624 ["Screening out persons with elements as Vietnamese, CIA agents, and those with no-good elements: 1. 100 Vietnamese people – small and big, young and old – have been smashed"].

3162 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 13.55.16-13.57.43 ["Q: Did the cadres in your village day anything about the fact of your wife and your mother-in-law being ethnically Vietnamese? A: After I came back from the fishing unit, I was asked whether my wife was Khmer or Vietnamese"].

3163 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 13.55.16-13.57.43 ["Q: Did the cadres in your village day anything about the fact of your wife and your mother-in-law being ethnically Vietnamese? A: After I came back from the fishing unit, I was asked whether my wife was Khmer or Vietnamese"].

3164 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 15.49.07-15.50.44 ["They asked me that in my cooperative, were there any Vietnamese"].

3165 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 13.36.27-13.38.55 ["During the Pol Pot regime, I did not use the original names, because they sounded more like Vietnamese names"], 13.40.59-13.43.40, ["I would like to tell the Chamber that the reason was because I was so afraid that I would lose my daughter if I was using her original name"].

3166 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 13.40.59-13.43.40 ["I would like to tell the Chamber that the reason was because I was so afraid that I would lose my daughter if I was using her original name. If I kept using her original name at the time, she would have been killed. For this reason, I asked children in the children unit of the genocidal regime to help me by referring to her as Mi Kabak (phonetic) or Mi Kapuk (phonetic)"]; 13.36.27-13.39.55. *See also* **D234/2.1.91** Doung Ourn, T. 25 Jan 2016, 09.28.34-09.30.16 ["I was afraid that they would take my child away to be killed. For that reason, I named my child Kamean and I was told not to name her Kim Va, but to use Kamean. Accordingly, I adopted that name for her according to their suggestion"], 09.56.30-09.59.14 ["Q: And what was it about her original name that you thought would make her a target for being smashed? A: Her original name was Kim Va and, later on, I renamed her Kamean [...] Villagers suggest – made a suggestion to me that the name Kamean should be used instead of Kim Va. Otherwise she would be taken away as her father"]. *Contra* **D234/2.1.91** Doung Ourn, T. 25 Jan 2016, 10.45.49-10.48.20 ["The child was not arrested since the child was the offspring of Cambodian mother; only the father was taken. If the mother was a genuine Khmer, the child would be spared"].

3167 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 15.23.10-15.25.46 ["He tried to console me the next morning that my wife and child had been killed. And that comrade blamed me, why I married the Vietnamese wife"]; **D234/2.1.82** Prak Doeun, T. 3 Dec 2015, 10.49.49-10.52.25 ["He did not tell me that he had killed those people who had been taken away. The morning after, he met me and he saw me that I was so sad. He told me at that time that my family members had all been killed. [...] I was hopeless at the time, after I heard that my family members had been killed. It was like the sunset. They would not come back to life again. [That was] my feeling at that time"].

3168 **D11/523/3** Sieng Chanthay, T. 29 Feb 2016, 15.58.37-15.59.45 ["No one talked to me while I was working. I was carrying earth myself alone and I carried the basket full of earth at the side of waist [...] I asked my co-workers for the reasons that they did not talk to me. They said that my parents and family members did not want me to talk to you, Ya (phonetic) because they were afraid that I would be taken away to be killed as well for having associated with you, Ya (phonetic) because you were a half-blooded Vietnamese"].

3169 **D1.3.34.20** Telegram 07 from Vi to Respected Brother, 15 Jun 1977, EN 00182771.

3170 **D4.1.655** Report from Nhim to Office 870, 17 May 1978, EN 00143066 ["The meeting asked what decision is to be made on those with [no-good] elements like soldiers, Vietnamese people – a Khmer husband with a Vietnamese wife or a Vietnamese husband with a Khmer wife – and half-bred Cambodian-Vietnamese people. Given this issue, the meeting would like to pose the question to Angkar 870. It is up to Angkar to decide. Please let us know if there is any decision made by Angkar"].

- 3171 **D234/2.1.21** Elizabeth Do, *Treatment of the Vietnamese Minority in Democratic Kampuchea from a Comparative Perspective*, EN 00548857-58 ["Firstly, informants from Pochen Dam noted a pattern in how their local Khmer Rouge collected Vietnamese families, all of which consisted of Khmer and Vietnamese spouses. Informants said that they observed the Khmer Rouge collecting the mother and children of a family if the mother was Vietnamese but only the father of the family if father was Vietnamese. Informants observed this pattern in the Khmer Rouge's collection of all four Vietnamese families in Pochen Dam, and said that KR cadres did not make such a distinction when they collected other people from the village. Informants from other villages, however, said that the Khmer Rouge in their village collected only the Vietnamese parent (and not his or her children), and still other informants said that KR cadres collected the entire family if they found out that even one member was Vietnamese. All of these patterns were observed by informants and never publicly announced as a policy of the Khmer Rouge. The pattern observed in Pochen Dam village, though it raises a possible distinction between the Khmer and Vietnamese experience, requires more investigation"]; **D234/2.1.91** Doung Ourn, T. 25 Jan 2016, 10.48.20-10.49.42 ["The Vietnamese would be taken away, all of them would not be spared in that regime. Since my child belonged to a Cambodian mother, only the husband was taken away"]; **D234/2.1.97** Khouy Muoy, T. 1 Mar 2016, 11.23.01-11.24.36 ["They said that the children of Yeay Yuon (phonetic) – that is, a Vietnamese woman, had already been taken away and they were coming for her children to put them to work in a 100-member unit, and a lady by the name of Sien (phonetic) had also been taken away and killed and that I should be careful and that I should stop weeping; otherwise, I would be taken away and killed"].
- 3172 **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.14.44-09.18.00 ["Q: [...] Do you know why your children that you had with your wife were also targeted for execution? A: I know it clearly. My wife was half-blooded Vietnamese, and my children were considered Vietnamese grandchildren"].
- 3173 **D234/2.1.91** Doung Ourn, T. 25 Jan 2016, 10.45.49-10.48.20 ["The child was not arrested since the child was the offspring of Cambodian mother; only the father was taken. If the mother was a genuine Khmer, the child would be spared"].
- 3174 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 15.38.35-15.41.03 ["Only next morning, when the cadre said they had been killed during the night, and that I should focus on working, and that later on I could propose a Cambodian woman to get married through Angkar"].
- 3175 **D234/2.1.79** Sean Song, T. 27 Oct 2015, 15.05.22-15.14.25, 15.20.21-15.22.35, 15.27.20-15.29.54, 15.33.22-15.41.00, 15.53.00-15.55.06, 16.01.25-16.03.29; **D234/2.1.80** Sean Song, T. 28 Oct 2015, 09.05.33-09.08.12, 09.18.43-09.31.50, 10.00.08-10.01.20, 11.06.19-11.10.18, 14.37.15-14.39.01; **D234/2.1.85** Um Suonn, T. 9 Dec 2015, 11.15.53-11.19.31, 11.27.18-11.29.22, 13.45.54-13.50.45, 13.59.41-14.01.10, 14.10.01-14.11.25, 14.23.05-14.25.02, 14.28.42-14.33.35, 14.35.08-14.40.06, 15.09.13-15.20.58; **D234/2.1.86** Um Suonn, T. 11 Dec 2015, 09.13.06-09.15.43, 09.25.57-09.28.44.
- 3176 **D1.3.34.20** Telegram from Vi to Respected Brother, 15 Jun 1977, EN 00182771-72; **D234/2.1.104** Chin Kimthong alias Chhang, T. 21 Mar 2016, 11.09.02-11.11.05, 15.31.44-15.34.35, 15.36.49-15.39.08, 15.39.08-15.40.43, 15.44.40-15.47.57, 15.56.00-15.58.50, 16.04.18-16.07.20; **D234/2.1.98** Phon Thol, T. 2 Mar 2016, 11.20.17-11.22.47; **D4.1.801** Chhaom Se WRI, A12; **D4.1.805** Chhaom Se WRI, A21; **D4.1.803** Chin Kimthong alias Chhang WRI, A11-12; **D4.1.804** Chin Kimthong alias Chhang WRI, EN 00404078; **D4.1.420** Khoem Peou WRI, EN 00250074; **D10.1.35** Mao Phat WRI, EN 00272580.
- 3177 **D234/2.1.84** Prum Sarun T. 8 Dec 2015, 13.36.02-13.40.05, 13.41.09-13.43.46, 13.52.33-13.58.47, 14.01.04-14.02.58, 14.05.55-14.10.56, 14.19.03-14.21.46, 15.55.30-15.56.14; **D4.1.464** Im An WRI, EN 00274160; **D59/1/1.57** Khor Mot DC-Cam Statement, EN 00987554-56; **D59/1/1.46** Lat Bandet DC-Cam Statement, EN 00969798-99; **D59/1/1.52** Pheach Ruos DC-Cam Statement, EN 00969843-44; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650.
- 3178 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678651.
- 3179 **D234/2.1.86** Ung Sam Ean, T. 11 Dec 2015, 11.04.08-11.17.41, 11.17.41-11.21.04; **D11/523/3** Sieng Chanthly, T. 29 Feb 2016, 15.35.16-15.38.03, 15.42.09-15.48.05; **D234/2.1.97** Sieng Chanthly, T. 1 Mar 2016, 09.13.45-09.15.12, 09.30.45-09.32.33, 09.34.42-09.36.28, 09.44.25-09.48.14, 10.39.35-10.41.38.
- 3180 **D114/29.1.21** Thang Phal, T. 5 Jan 2016, 11.04.04-11.05.26, 15.45.20-15.47.36, 15.59.57-16.02.43, 16.02.43-16.06.56; **D234/2.1.91** Doung Ourn, T. 25 Jan 2016, 09.21.21-09.23.36, 09.27.24-09.30.16, 09.32.18-09.37.12, 09.56.30-09.59.14, 10.40.56-10.41.58; **D234/2.1.82** Sao Sak, T. 3 Dec 2015, 14.30.07-14.33.01, 14.34.19-14.36.49, 14.40.57-14.45.41, 15.16.18-15.18.57, 16.00.57-16.01.52; **D234/2.1.83** Sao Sak, T. 7 Dec 2015, 09.16.24-09.20.37, 09.27.17-09.28.43, 09.36.48-09.38.48, 09.40.10-09.41.28, 09.46.08-09.48.00; **D114/36.1.36** Chhuon Ri WRI, EN 00422334; **D4.1.550** Ieng On WRI, EN 00231660;

- D114/36.1.43** Sin Sun WRI, EN 00234115-16; **D114/36.1.49** Leng Samet DC-Cam Statement, EN 00324475; **D98/3.1.127** Kim Va DC-Cam Statement, EN 00233342.
- 3181 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678651; **D234/2.1.97** Uch Sunlay, T. 1 Mar 2016, 15.30.12-15.36.03, 15.48.38-15.49.58, 15.53.08-16.02.50; **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.09.23-09.12.02, 09.18.00-09.19.28.
- 3182 **D234/2.1.81** Prak Doeun, T. 2 Dec 2015, 11.21.43-11.27.26, 11.29.10-11.31.34, 13.50.15-13.53.48, 13.55.16-13.57.43, 14.11.05-14.12.59, 14.26.45-14.31.20, 14.36.49-14.42.33, 15.21.36-15.25.46, 15.28.02-15.34.12; **D234/2.1.82** Prak Doeun, T. 3 Dec 2015, 10.49.49-10.52.25; **D234/2.1.83** Choeung Yaing Chaet, T. 7 Dec 2015, 10.52.07-10.53.58, 10.57.35-11.09.56, 11.15.58-11.18.22, 11.22.22-11.27.31; **D64.1.34** FBIS, *Collection of Reports for September 1977*, EN 00168725; **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650.
- 3183 **D234/2.1.65** Cheang Sreimom, T. 29 Jan 2015, 11.03.08-11.07.09, 15.33.36-15.37.25; **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 09.25.00-09.45.19, 11.32.56, 13.34.19-13.45.23; **D11/58/3** Tak Sann, T. 1 Apr 2015, 13.12.57-13.15.33, 13.19.21-13.22.13; **D11/61/3** Ry Pov WRI, A81; **D234/2.1.97** Khoy Muoy, T. 1 Mar 2016, 11.07.20-11.11.20, 11.15.30-11.20.59, 11.23.01-11.24.36, 13.50.04-13.54.30, 14.22.36-14.24.28; **D4.1.477** Hem Samath WRI, 17 Jul 2008, EN 00275057-58; **D4.1.787** Tuon Lorn WRI, EN 00373306-07, 00373310; **D4.1.795** Sau Khon WRI, EN 00398865 **D114/29.1.4** Ben Kiernan, *The Pol Pot Regime*, EN 00678650.
- 3184 **D98/3.1.90** Kaing Guek Eav alias Duch, T. 9 Jun 2009, 14.32.33-14.35.04, 14.39.35-14.42.57, 16.07.07-16.09.10; **D98/3.1.91** Kaing Guek Eav alias Duch, T. 10 Jun 2009, 09.10.24-09.18.05, 09.33.27-09.40.49, 11.43.39-11.47.21, 13.49.50-13.52.28; **D114/277.4** Kaing Guek Eav alias Duch, T. 13 Jun 2016, 15.02.30-15.04.30; **D114/277.5** Kaing Guek Eav alias Duch, T. 14 Jun 2016, 11.10.07-11.18.34; **D114/277.7** Kaing Guek Eav alias Duch, T. 16 Jun 2016, 09.43.05-09.44.35, 11.05.26-11.07.07; **D98/1.2.23** Kaing Guek Eav alias Duch, T. 3 Apr 2012, 09.57.07-09.59.14; **D98/1.2.27** Kaing Guek Eav alias Duch, 10 Apr 2012, 15.39.39-15.41.11; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 15.57.03-15.59.05; **D234/2.1.113** Prak Khan, T. 28 Apr 2016, 09.04.07-09.07.06, 09.09.11-09.11.13, 09.12.52-09.14.47; **D234/2.1.111** Lach Mean, T. 26 Apr 2016, 10.51.06-10.55.14, 15.37.36-15.38.29; **D234/2.1.115** Him Huy, T. 3 May 2016, 15.01.25-15.03.39, **D234/2.1.116** Him Huy, T. 4 May 2016, 09.55.12-09.58.46, 14.27.20-14.28.46, 14.30.53-14.32.38, 15.03.56-15.07.20, 15.11.10-15.15.53; **D114/43** Suos Thy WRI, A23; **D4.1.245** Prak Khan WRI, EN 00161556; **D114/165** Prak Khan WRI, A39; **D4.1.346** Mam Nai WRI, EN 00162909, 00162918-19; **D4.1.804** Him Huy WRI, EN 00161591; **D4.1.91** DK Military Minutes, *Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and Independent Regiments*, 1 Mar 1977, EN 00933839; **D1.3.34.61** Telegram from Om Nuon to Respected Brother, 14 Feb 1978, EN 01185439-40; **D4.1.96** Mam Nai alias Chan S-21 Interrogator's Notebook, EN 00184615; **D54/80.1.38** Pon-Tuy S-21 Interrogator's Notebook, EN 00184522; **D1.3.26.5** BBC Media Report, *Confession of a Captured SRV Sailor*, 29 Jan 1978 EN S 00008894-95; **D69.1.11** DK Government Statement, Feb 1978, EN S 00004902-45; **D4.1.319** DK Media Report, 7 Apr 1978, EN S 00010472; **D4.1.324** DK Media Report, 6 May 1978, EN S 00010108-9.
- 3185 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.31.00-13.38:32 ["Q: [...] if you can recall back to that training. First of all, can you remember where it took place? A: The training was given at the battalion. After receiving training from the division level, the regiments and battalions opened small training sessions as well on the islands. Q: Who would attend the training? Who was being instructed? A: The trainer was the commander of each battalion who received the order from the upper level. Q: Did all of the soldiers or sailors in the battalion, were they all in attendance or required to attend, to the best of your knowledge? A: Yes, it was the policy of the Communist Party of Kampuchea. They announced that all soldiers in division 164 needed to attend the training. Q: Now sir, when you had a training like this, how serious was it for those of you that had to attend? Were you were allowed to debate and say, 'I don't agree with what's being taught'? A: At that time, when we studied about the hereditary enemy, so no one dared to debate about what we were taught about the hereditary enemy, and we needed to follow what we were taught. Q: Thank you for helping us with that. Now, what exactly did the instructor say, instructors say about the hereditary enemy, the Vietnamese?:A. We were instructed to kill, even if it was a baby, because they are our hereditary enemy, so we must kill them. So it was the responsibility of each battalion that received exact instructions"]. Pak Sok also gave detailed evidence of the way in which instructions were passed down through the hierarchy of Division 164. **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.45.11-13.47.44 ["At the level of the battalion and regiment, who went to study at the division level, they came back and gave instructions to all naval soldiers within battalions of the division"], 13.31.00-13.35.23 ["The trainer [giving the instruction that Vietnamese were the "hereditary enemy"] was the commander of each battalion who received the order from the upper level [...] Yes, it was

the policy of the Communist Party of Kampuchea [that all soldiers in Division 164 attend the training at which Vietnamese were described as the “hereditary enemy”]. They announced that all soldiers in division 164 needed to attend the training”], 13.35.23-13.36.35 [“At that time, when we studied about the hereditary enemy, so no one dared to debate about what we were taught about the hereditary enemy, and we needed to follow what we were taught”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 10.54.50-10.56.57 [“The order came down – came down, and soldiers must implement the orders. And the order came through hierarchical order. We did not perform the tasks on our own initiative at the battalion level. Unless there was an order or instruction from the upper echelon, we would not performed the task. And if we did not receive the order, we sent those people on land”], 14.04.42-14.06.30 [“At that time the orders were very strict. We could only implement the orders when the orders were relayed during meetings and if we failed to implement an order, for example, an execution order, then we ourselves would be executed. If we were to receive orders through meetings, those orders had to be implement and usually those orders were conveyed through meetings at the battalion level”], 10.56.57-10.58.50 [“The battalion had received an order or instruction from the regiment, and after receiving the order, the battalion would relay that order to the special unit”]. *See also* **D54/23** Pak Sok WRI, A31 [“Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive. But at the time, the Khmer Rouge considered the Vietnamese as heredity enemies”].

3186 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.40.49.-13.47.44 [“Q: [...] You stated shortly before [...] that you attended a training session in the battalion, and during which you were instructed to kill the Vietnamese. Do you know whether your instructors had, they themselves, attended training sessions before they conducted the training session you attended? [...] A: Yes, thank you. At the level of the battalion and regiment, who went to study at the division level, they came back and gave instruction to all naval soldiers within battalions of the division”]; **D54/23** Pak Sok WRI, 18 Oct 2013, A32-34 [“the Thais had not have much conflict with Cambodians throughout history, unlike the Vietnamese, who had had much conflict with the Cambodians; that's why the Vietnamese were considered the Hereditary Enemy and Enemy Number One. Q: Why do you know all these things? A33: Because the commanders of the battalions and regiments underwent training with the division, and when they returned from the training they taught us about this in training sessions. Q: Who were responsible for political education in Division 164 from 1975 to 1979? A34: Meas Mut, who was then Political Commissar of the Division”].

3187 **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576 [“Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons, they killed them. Q: Where did they kill them? A: Sometimes they killed them on the Island. Q: Did not they send them to the shore? A: Sometimes they killed them on the Island. Q: Were they mostly Yuon soldiers? A: They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them, we shot them to dead. Q: Was it the order from the Division to arrest and kill them or did you act on your own? A: It was the order from the Division. Q: Who gave that order? A: The order came from Ta Mut. Q: Was it the order to kill? A: Yes”].

3188 **D114/283** Ek Ny WRI, A18.

3189 **D54/102** Ek Ny WRI, A41. *See also* **D114/282** Ek Ny WRI, A63 [“Q: I speak only about the incidents which I knew. At first, we sent back to the mainland, but later we received orders from the division that we did not need to send them to the mainland. We received orders to take only gold, and we were ordered to use those people as fertilizer on that island, not wasting petrol to transport them to the mainland”].

3190 **D54/23** Pak Sok WRI, A25, 28 [“If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured. [...] A28: it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance”]; **D2/10** Say Born WRI, A31 [“Q: If the vessel unit was deployed along the sea border and saw the foreign ship encroaching its territory, how did your vessel unit react? A31: Even [if] we saw the foreign ship encroaching our territory, we would not react. But we reported to the upper Angkar immediately, and waited for the order from the upper echelon to tell us how to react to that ship. It was not our task to seize ships in general. We waited to attack the warships only. The task to seize various ships was that of the other unit which used the wooden boats”].

3191 **D54/23** Pak Sok WRI, A25, A28 [“If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would

report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured [...] A28: [...] it was imperative to report precisely what we captured, for example, whether they were Vietnamese refugees or Thai fishermen or soldiers, we had to report that to upper echelon clearly in advance”].

3192 **D54/25** Pak Sok WRI, A1-2 [“Q: In general, when the crew of a naval vessel received an order to kill or send captured persons, was the order made orally via communication radio or via Morse code? A1: The order was made orally via communication radio. Q: Can you explain to us the wording used in the order? A2: They used simple language in orders. For example, ‘Shoot them dead’ or ‘Send them to the mainland’”].

3193 **D54/25** Pak Sok WRI, A1 [“Q: In general, when the crew of a naval vessel received an order to kill or send captured persons, was the order made orally via communication radio or via Morse code? A1: The order was made orally via communication radio”].

3194 **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 09.58.08-09.59.56 [“the division issued the orders to me to defend the maritime boundary of Kampuchea, and I received the order to prevent any armed Vietnamese boats from entering our boundary”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 13.55.27-13.56.33 [“the soldiers who were on the vessels needed to perform their assigned tasks. And they had to be ready to attack the enemies who trespassed into territorial sea of Kampuchea”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.35.04-13.37.29 [“After the liberation in 1975, the soldiers were obliged to protect the territory of borders at sea. [...] We were told to defend the maritime territory instead and we were told that we needed to prevent the Vietnamese and others from entering into the maritime territory of Cambodia”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.15.00-09.17.06 [“the policy at the time was to counter the attempts to invade Cambodia by the external ‘Yvon’”]. **D98/3.1.178** Meas Voeun (TCW-428), T. 4 Oct 2012, 13.42.26-13.45.57 [“there was a plan to smash the Yvon enemy and the infiltrated enemy within the units”].

3195 **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.49.55-15.53.04 [“Vietnamese troops or Vietnamese boats, which entered Cambodian Territorial Waters, were arrested”]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.24.04-09.25.26 [“when those ‘Yvon’ people were captured, I would send them to the upper level, but there was no plan to smash them”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.44.05-13.46.19 [“Vietnamese people were sent to Ou Chheu Teal harbour or port to board vehicles and afterwards they were transported to Kampong Som or Otres or Chamkar Doung. People were arrested, sir, on a monthly basis in 1977, 1978 which was an intensive time of arrest”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 10.05.46-10.06.16 [“if there was an order from the division to send those Vietnamese on land, we had to follow the order. Afterwards, I did not know where those Vietnamese were sent”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 13.58.01-14.00.38 [“the order came from the upper echelon and it went down to the battalion and afterwards soldiers had to perform the task to kill a few people right away after capturing them. Without an order, we would not dare do it”]; **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.16.59-14.19.02 [“Regarding Vietnamese refugees, [...] when they were captured by my unit I would send them to my upper leadership level and whatever decision they made that was theirs”].

3196 **D54/25** Pak Sok WRI, A2-A3 [“They used simple language in orders. For example, ‘Shoot them dead’ or ‘Send them to the mainland.’ Q: Why did you state in your interview with the [DC-Cam] that the order to kill was usually issued by Ta Mut? A3: To my knowledge, that was the standard operational procedure of the Division”]; **D54/23** Pak Sok WRI, A25 [“If we saw a boat or ship in our territorial waters, we would report it to the battalion via radio. Then the headquarters of the battalion would report it to the regiment. The regiment would report to the division. Then the division issued orders on what we should do with the boat or vessel and the people captured. The battalion would then order us either to kill those who were captured right there on the sea or bring them to the island. In cases where we seized the Vietnamese boats, sometimes we received orders to shoot and kill them on the spot and bring the only the boat to the island”]. See also **D54/7** Dol Song WRI (Dul Slong), 18 Jun 2013 at A15-16 [“Q: Who was the Commander of Division 3/164? A15: It was Meas Muth [...] Q: What decisions was the Division Commander authorized to make? A16: As far as I know, as a commander of a marine division, Meas Muth was responsible for dealing with issues related to water borders”]; **D54/79** Nop Hal WRI, A3, A26 [“the battalion reported to the regiment that the boat had invaded. Generally, the regiment would then report to the division which was located in Kampong Som [...] A26: As I described previously, the battalion stationed there reported to the upper level everything that entered Cambodian territory. Ta Mut was Division Commander. Ta Seng and Ta Mut were in charge of the division. Ta Mut was the senior level commander and had been in charge of the division a long time”].

3197 **D54/98** Heang Ret WRI, A120-122 [“Q: [...] you said that, ‘After listening to the report, Bang Meas Muth asked Ta Nhan about the killing of people. He asked, ‘Who told you to kill those people? Who permitted you

to investigate people at their houses? You deserve to be the same way by the people. Actually, the people should have poured hot water on your head. You did not have the right to monitor them. Before you killed people, did you get permission from your superior? Did you hear Meas Muth scolding Ta Nhan like this first-hand? A120: Yes, I heard that first-hand, because that time there was an assembly which the Division 164 leaders attended. Q: When Meas Muth told Ta Nhan, 'Before you kill people, you have to get permission from your superior.' What did he refer to by 'superior'? A121: Ta Nhan was the commander of Regiment 63 under the management of Division 164 where Meas Muth was the commander. Therefore, in this sense, it meant that Ta Nhan needed permission from Meas Muth. Q: Do you know in what circumstances those people were taken to be killed by Ta Nhan? A122: I do not know in what circumstances the people were killed by Ta Nhan, but I remember that in that meeting Ta Nhan reported to Meas Muth that he had killed people".

3198 **D54/25** Pak Sok WRI, A4 ["Q: Besides Ta Mut, could anyone else issue the order to capture or kill? A4: If Ta Mut was absent, then Ta Seng. If Ta Seng was absent, then Ta Saroeun"]. *See also* regarding the names of the deputies of Meas Muth, **D54/23** Pak Sok WRI, A1 [deputies of Meas Muth were Hang Doeun alias Dim, in charge of Economics, who was replaced by Nhet Nhan, Regiment 63 commander, after Dim's disappearance, Saroeun, in charge of the Military, and Seng; describes Bau as deputy commander in charge of Regiment 140]; **D54/78** Nop Hal WRI, A19 ["Dim was the deputy of Ta Mut, and he came from the East Zone"]; **D59/1/1.9a** Lay Bunhak DC-Cam Statement, EN 00963745 ["Bunhak: We had another Division deputy commander [...] Tim Seng"].

3199 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 13.54.29-13.57.50 ["Q: You became the Deputy Commander of Division 1 [...] A: Yes, that is correct"].

3200 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 13.54.29-13.57.50 ["Q: You became the Deputy Commander of Division 1 and Division 1 belonged to the West Zone and operated, broadly speaking, at the coast of Koh Kong Province. Is that correct? A: Yes, that is correct"].

3201 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.02.24-14.03.43 ["Q: Did Division 164 and Division 1 [...] receive the same kind of orders from the upper echelon? A: Yes. We received the same orders"].

3202 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 15.57.30-15.58.47.

3203 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 15.58.47-16.00.12.

3204 **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.15.00-09.17.06. *See also* **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 09.24.04-09.25.26 ["They had to be gathered up and sent to the upper echelon. That's what happened between 1975 to '79"].

3205 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.27.47-14.30.18 ["I attended the congress of the West Zone in Kampong Speu Province held at the coconut plantation in Chbar Mon District in 1977"].

3206 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.31.25-14.33.35 ["During this conference the subject is discussed how to prepare forces to attack and smash the enemy and the no good elements imbedded inside and controlling the cooperatives"]; **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399223 ["Continuing to attack, sweep clean, and get rid of all enemies within the ranks"].

3207 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.33.55-14.35.36 ["Concerning the infiltrated enemies, it was to instill the conscience of people about 'Yuong's' tricks"].

3208 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 15.54.15-15.57.30 ["Q: During that period, from what you know, did the term "Youn" invariably designate soldiers and civilians? Was every Vietnamese referred to as a 'Yuong'? A: Usually Cambodians referred to them as 'Yuong'. Everybody knew about it"].

3209 **D234/2.1.95** Meas Voeun, T. 2 Feb 2016, 14.33.55-14.35.36 ["they wanted to search out the infiltrated enemies that were within the army or cooperatives"].

3210 **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399236 (*emphasis added*).

3211 **D10.1.59** *Revolutionary Flag*, Aug 1977, EN 00399246.

3212 **D54/25** Pak Sok WRI, A11. *See also* **D54/24.1** Pak Sok DC-Cam Statement, EN 00978576, KH 00955507 ["Q: Did you say that you had captured some Yuons? A: If they had arrested Yuons, they killed them. [...] Sometimes they killed them on the island. [...] They were mostly the refugees escaping to the third country. Most of those people were escaping from a war and traveling through our area. When we arrested them, we shot them to [death]"].

3213 **D114/282** Ek Ny WRI, A58-61. *See also* **D114/126** Ou Kim WRI, A43, 46 ["Q: In your interview with the Documentation Center of Cambodia on Page 27, you said 300 to 400 captured persons were killed on the island. Why did you say that? A43: This number is just my estimation according to what I observed. The number of 300 to 400 persons killed on the island is the least possible number in my estimation. Sometimes

there were 50 people in one boat, and sometimes there were 70 people in one boat. When those people were captured, they were all killed on the island. During that time, many Thai boats like that were captured. [...] A46: However, I do not know if those people were Thai or Vietnamese. In fact, I never approached those boats. The figure of 1,000 was the total number of Thai and Vietnamese”].

3214 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357, 00143507. *NB*: There are two English translations of this document. One, with EN 00143507, is a complete translation, while the other, with EN 00183357, is a partial translation. They differ in the number of victims reported (102 at EN 00143507 *versus* 120 at EN 00183357) and the language used to describe the killing of the Vietnamese (“arrested and fired” at EN 00143507 *versus* “captured and shot to death” at EN 00183357). The Khmer original, ERN 00017026, reflects 120 victims and makes it clear that the victims were killed by use of firearms.

3215 **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00143507 [“In this period we also confiscated 5 machine boats”].

3216 **D54/23** Pak Sok WRI, A31, 37-38 [“Q: In your opinion, do you think the killing of those captured persons was right or wrong? A31: I think it was completely wrong, given that those people knew nothing at all. They were just fleeing war to survive [...] A37: Those Vietnamese were refugees who were travelling to Thailand, and they travelled through our waters between Koh Tang Island and Koh Poulo Wai Island [...] A38: They were not armed and had no intention to resist”].

3217 **D114/126** Ou Kim WRI, A38-40 [“Q: On average, how many people were in each Vietnamese refugee boat? A38: On average, there were 30, both women and men. Q: Why do you say that those people were Vietnamese refugees? A39: Some of them could speak Khmer, and they told us that they wanted to travel to new countries such as the Philippines, Singapore, Taiwan, and so on. Q: Did you hear this directly? A40: No. I heard that from the soldiers patrolling along the beach”].

3218 **D114/126** Ou Kim WRI, A38 [“Q: On average, how many people were in each Vietnamese refugee boat? A38: On average, there were 30, both women and men”].

3219 **D114/127** Ou Kim WRI, A3 [“I told you the minimum number of persons on a boat, but actually, sometimes there were 50, and other times there were 70 on board one boat”]; **D114/126** Ou Kim WRI, A34 [“Q: On average how many fishermen [...] were aboard the Vietnamese boats? A34: [...] As for the Vietnamese boats, they were small cargo boats, but they were loaded with many people. Those people were refugees from Vietnam”].

3220 **D114/283** Ek Ny WRI, A3.

3221 **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 10.12.20-10.13.34 [“when there was a Vietnamese boat encroaching the Kampuchean territorial waters, the forces on the island would take measure against them either to seize them and send them on shore or a similar action was taken”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.29.11-14.31.22 [“I did not hear any instruction of not arresting those people. I only heard of instructions to arrest them. [Vietnamese refugees]”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 15.49.55-15.53.04 [“Vietnamese troops or Vietnamese boats, which entered Cambodian Territorial Waters, were arrested.”]; **D234/2.1.92** Prum Sarat, T. 26 Jan 2016, 10.55.25-10.58.17 [“they were Vietnamese and they tried to cross the Southeastern part of the maritime boundary, east of that Tang Island and they were arrested.”]; **D234/2.1.93** Prum Sarat, T. 27 Jan 2016, 10.47.35-10.49.35 [“the division sent the instruction to vessels to be vigilant. So that information contained some information like the arrest of “Yuen” and their boats [...] It was the task of the people who were in charge of the maritime boundary”].

3222 **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.00.38-14.02.41 [“When we arrested one or two, we had to kill them on the spot on the island or at sea”]; **D114/297.1.21** Pak Sok, T. 5 Jan 2016, 14.02.41-14.04.42 [“For a small group of people who were arrested, the instruction was to execute them because it would be a waste to transport them [...] we had to execute them on the island or at sea and there was no need to bring them on shore”]; **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 11.03.07-11.06.59 [“Concerning the Vietnamese, some of them were sent to us on board and on some other occasions, if there were many of the Vietnamese, they would be sent ashore. But if there were only a few Vietnamese, they would be killed right on the island”]; **D54/23** Pak Sok WRI, A25 [“In general when we captured less than 20 people, they ordered us to kill them on the spot. If we arrested more than 20 people, we had to send them to Ou Chheu Teal. To my knowledge, those who were sent to the shore were also killed later”].

3223 **D114/297.1.20** Pak Sok, T. 16 Dec 2015, 13.58.15-13.55.13 [“The majority of people were the Vietnamese who fled to a third country. This larger number were arrested and brought ashore to us to interrogate about what was happening in Vietnam and in Cambodia”]; **D54/23** Pak Sok WRI, A29 [“If those persons captured

were Vietnamese soldiers, we had to send them to the shore; then they would broadcast their confessions via the national radio before they killed them”].

3224 **D114/40** Moul Chhin WRI, A81-82 [“Q: As for the island where you were stationed as a guard, were there any reports or notifications later sent to the division about what happened to the people who were arrested? A81: Yes, there were. Generally, reports were sent back to Kampong Som about what happened to those who were captured. Q: Do you remember what words they used for communicating with each other? A82: They used phrases such as ‘It is done.’ or ‘They have already finished off those people’”].

3225 **D114/57** Som Soam WRI, A11, 14, 20-21, 26-27 [“Q: Would you explain to us what you saw? A11: One night, when I was on Koh Tang Island, I saw a boat with Vietnamese passengers and crew which was seized by the Navy of the Democratic Kampuchea. [...] Q: Who had seized the boat? A14: The Navy did it. [...] Q: Why did you state that the boat was not a fishing boat? A20: I stated that because the boat could carry a lot of passengers. I assumed that that boat could have been used to carry the Vietnamese migrants or refugees. Q: What genders were those Vietnamese? A21: There were men, women and children. [...] Q: Did you see the boat or the Vietnamese the following morning? A26: The following day, I did not go back to that beach, but later I heard my military colleagues saying that they all had been executed. Q: How did your military colleagues know this? A27: I am not quite sure. It was through word-of-mouth that the information travelled. I assumed that there were two scenarios. The first one was that those Vietnamese were immediately taken away and killed on the Island, or that they were kept as prisoners on the Island for a few days before they were taken to the mainland and killed”]; **D54/25** Pak Sok WRI, A20 [“I saw the first event, the capture and killing of a Vietnamese husband and wife and an infant about one year old on Koh Poulo Wai Chas Island at the end of 1976 or early 1977 [...] The bodies of the couple were chopped in two with a digging hoe. Each part of the bodies was buried under a coconut tree for fertiliser”]; **D54/23** Pak Sok WRI, A25, A35 [“Those [Vietnamese] who were captured and sent to Kampong Som were killed and buried under durian and coconut trees [...] Q: Why do you know that those they captured and sent to Kampong Som were killed and buried under the durian and coconut trees? A35: I heard it through military personnel working in Kampong Som. The military personnel working in Kampong Som belonged to Division 164. The captured, once brought to the Ou Chheu Teal Port in Kampong Som, were taken off the boat and put on trucks and taken away immediately”]; **D54/26** Pak Sok WRI, A11-13, 16 [“Q: Did you ever hear about a durian plantation in Ream near the coconut plantation? A11: Yes, I knew those locations. Many Vietnamese were killed at those locations. [...] A12: To my knowledge, hundreds of Vietnamese were killed there. Q: What military unit was stationed at that plantation? A13: A battalion of about 150 military personnel of Regiment 62 were stationed there. The duty of those military members was to wait and receive the Vietnamese who had been captured and take them to be killed at the durian and coconut plantations. The durian, coconut, and orange plantations were near one another. [...] Q: How did you know that the Vietnamese were taken to be killed there? A16: I learned that through the military who were working there. They told us that they had killed many Vietnamese there and had buried the bodies under the durian trees as fertilizer”]; **D54/123** Lak Saphan WRI, A8 [“To my knowledge, those arrested at sea were Cambodians, Thai, and Vietnamese, and they were taken to Tuek Sab where they were eventually executed. None of them returned”]; **D114/283** Ek Ny WRI, A22, 29 [“There were hundreds [of coconut trees] on Koh Tang Island. There were close to 500 coconut trees. At each coconut tree there were one or two people in each pit; that was in cases in which they arrested a lot of people. If not, each body was cut into two parts; each part was put in a separate pit. [...] A29: During that time, when they had arrested the Vietnamese refugees, who were traveling by boat to seek asylum in the 3rd countries, they took those Vietnamese refugees to kill in that durian plantation also. They [Khmer Rouge] called those Vietnamese refugees the piglets. They said that they took those refugees to make fertilizer for the durian trees”]; **D114/262** Chum Chy WRI, A46-47, 52-53 [“Q: [...] how many [Vietnamese] refugees were there at the time? A46: I am not sure about the number. Maybe seven or eight persons, and whether male or female, I don't know. Q: As far as you remember, is it correctly written in this report when it says said that they were taken to be placed the vicinity of the rocky port on the east of the island? A47: It is correct [...] Q: To your knowledge, what happened to the arrested refugees at the time? A52: When we came to know about it, I knew that they killed them. I did not know beforehand about a plan to take them to be killed. Q: Do you know by what means and where they were killed or not? A53: I only know points about which I am not certain, because back then I was young and paid no attention to killings committed by the upper echelon. Whatever they did, they never clearly informed combatants. They decided things only higher up than us. Only after the killings did we know that they were killed by gunfire. It was their bodies that I suppose were to be seen in the rocks in the general area of the rocky port”]; **D2/6** Nhoung Chrong WRI, A40-43 [“Q: Can you explain [to]

us about the Durian plantation? A40: [...] I heard from other people saying that after they arrested people who had made mistakes, they sent them to that place where they used them as the fertilizer for the Durian trees [...] Q: When you said that they used them as the fertilizer, what did you mean? A41: It meant they took them to kill there. They killed and buried their [bodies] under the Durian trees as the fertilizer. Q: As for the Thais and Vietnamese fish men, after they had arrested them did they take them to be killed at that place also? A42: Yes, they took them to that place also. [...] A43: They were the groups [troops] of the Regiment 62 whose base was in Ream. As for the Regiment 22, it had its base in Teuk Sap. So, the groups of the Regiment 62 were those who took people from Ream to kill in the Durian plantation”; **D2/16** Touch Soeuli alias Soeu Touch WRI, A32-33 [“I heard that the Thais and the Vietnamese, who had been arrested, were taken to kill in a place called the durian plantation. Q: Did you hear this story through the word of mouth between 1975 and 1979 from other soldiers in the Division 164? A33: I heard about this story after 1979 when we met together at the border between 1980 and 1981”]; **D1.3.30.25** Confidential Telephone Messages from Mut, 1 Apr 1978, EN 00183357, 00143507. *NB*: There are two English translations of this document. One, with EN 00143507, is a complete translation, while the other, with EN 00183357, is a partial translation. They differ in the number of victims reported (102 at EN 00143507 *versus* 120 at EN 00183357) and the language used to describe the killing of the Vietnamese (“arrested and fired” at EN 00143507 *versus* “captured and shot to death” at EN 00183357). The Khmer original, ERN 00017026, reflects 120 victims and makes it clear that the victims were killed by use of firearms; **D4.1.754** U.S. Cable regarding Mayaguez Incident and Observations on Tang Island December 1975, EN 00387429 [“After source was stationed on Puolo Wai Thmei Island in April-May 1975, his unit captured a boat carrying more than 10 Vietnamese refugees, including women and children. Source’s unit housed and fed the Vietnamese near a concrete pier on the eastern side of Poula Wai Thmei Island for two or three days. After they captured the boat, the 408th commander contacted Kampong Som for guidance on the disposition of the refugees. The high command in Kampong Som ordered the commander to kill the refugees. The commander and his deputy carried out the order”].

3226 **D54/71** Mut Mao WRI, A39, 53, 56, 60-61 [“One night, I saw them take an old Yuon lady and two or three children to be killed in the Inner Office compound. Those children were crying and screaming. [...] Q: How far from the house you were staying to Meas Mut’s house? A53: They about 50 to 60 metres apart. [...] Q: Did you see how many Yuon they were walking? A56: I saw the soldiers walking them one at a time. I saw three Yuon being walked: one old lady and two adolescents perhaps over ten years old. That old lady was killed about 30 metres from my house; the two adolescents were killed about 100 metres from my house. [...] A60: This event happened at the end of 1978, around two or three months before the arrival of the Vietnamese [...] Q: Did you know where they brought those Yuon from? A61: No, I did not, but as I heard from those messengers, those Vietnamese had been captured along with their boat from the sea”].

3227 *See, e.g.*, **D114/43** Suos Thy WRI, A13, 23 [“Q: Could you tell us what the situation was when you received the Vietnamese fishermen from Kampong Som? A13: The Vietnamese fishermen were always captured in their family boats. These people were brought to me in families, meaning they were composed of men, women, the elderly, adolescents, and children. [...] A23: Hor was the one who said that we had no means to find out who those Vietnamese were when they arrived, so they were designated Vietnamese spies. Those people were always sent to be interrogated, but the Vietnamese families were not interrogated. I concluded that those families were not detained at Office S-21 for long, and they were taken to be killed shortly afterwards”]; **D1.3.32.21** Kork Sras WRI, EN 00705429 [“Q: While you worked as a guard, where did you guard, and what did you see? A: I guarded prisoners, sometimes outside and sometimes inside the S.21 compound, and moved from one building to another once every month to guard prisoners. I saw that the prisoners they detained were of mixed nationalities, for instance, Indians, Thais, and Vietnamese, but were detained separately in individual cells. I never saw any Vietnamese soldiers who were prisoners. I never saw child prisoners, but I saw about 7 to 8 female prisoners detained in a cell between the two north-south axis buildings, behind the administration office”].

3228 *See* paras 428, 485. *See further* **D114/230.1.1** OCIJ S-21 Prisoner List, Nos **592 & 14786** [Daing Yaing Thann (Vietnamese), sent to Toek Sap to do farming – *see* **D114/145.2.15** S-21 Biography of Daing Yaing Thann (VN132), EN 01396238 [“Then, he was sent to Toek Sap to do farming”], **13431** [Chim Yang Keu (Vietnamese) – detained at Toek Sap “carrying fertilizer to apply on durian and rambutan plants”]. *See* **D114/145.2.11** S-21 Biography of Chim Yaing Koeu (VN122), EN 01191487 [“he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants”], **13433** [Le Yang Phoeuk alias Chim Yang Koeng (Vietnamese) –detained at Toek Sap “doing tasks such as: carrying

fertilizer to apply on durian and rambutan plants”]. See **D114/145.2.11** S-21 Biography of Chim Yaing Koeng alias Le Yaing Phoeuk (VN 124), EN 01191492 [“he was transferred to a fresh water area to work, doing tasks such as: carrying fertilizer to apply on durian and rambutan plants”], **13434** [Ngvieng Din Y (Vietnamese) – detained at Toek Sap “doing tasks such as: clearing grass in durian and rambutan plantation”]. See **D114/145.2.11** S-21 Biography of Kvieng Din Y (VN125), EN 01191494, [“he was transferred to a fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantation”], **13436** [Ngvieng Thithoeung (Vietnamese) – sent to Toek Sap “to look after a durian plantation”]. See **D114/145.2.12** S-21 Biography of Kvieng Thy Thoeung (VN126), EN 01195308 [“After the arrest, *Angkar* sent her to look after a durian plantation at a fresh water area”], **13437** [Ngvieng Hour Lang (Vietnamese) – sent to Toek Sap to clear grass in the durian plantations. See **D114/145.2.12** S-21 Biography of Kvieng Hiv Lang (VN127), EN 01195312 [“He was arrested on 10 December 1975 in Cambodian sea territory, in the vicinity of Kaoh Thas Island [...] After the arrest, *Angkar* sent them to a fresh water area to clear grass in a durian plantation”], **14782** [Troeng Yaing Khve – detained at Toek Sap “clearing grass in durian and rambutan plantations”. See **D114/145.2.11** S-21 Biography of Troeng Yaing Kve (VN121), EN 01191485 [“After the arrest, *Angkar* sent him to the fresh water area to work, doing tasks such as: clearing grass in durian and rambutan plantations”], **14783** [Choeng Thann Hoeun (Vietnamese) – arrested at sea on 12 December 1975, sent to an island for 6 days and was then detained in Toek Sap until his transfer to S-21 on 6 May 1975]. See **D114/145.2.12** S-21 Biography of Choeng Thann Hoeung (VN128), EN 01195316 [“He was arrested on 12 December [1975]. After the arrest, he was sent to an island ... for six days. Then, he was sent to a fresh water area to look after the durian and rambutan plantations. He was sent here on 6 May 1976”], **14785** [Pham Yaing Thann (Vietnamese) –detained in Toek Sap to take care of durian tree plantation]. See **D114/145.2.14** S-21 Biography of Pham Yaing Phann, EN 01368091-92 [“Note: This person was arrested on 12 November 1975 and *Angkar* sent him to Tuek Sab to do some work such as taking care of durians tree plantation. On 7 May 1976, he was sent to S-21”].

3229 See **VIII.B. Crimes Committed Against those Captured by the DK Navy in the Waters and on Islands Claimed by Democratic Kampuchea; VIII.C. Division 164 Security Centres; VIII.D. S-21 Security Centre.**

3230 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13981-13986 [Ngvieng Houphoeuk; Le Min Toem; Ngvieng Dik Chin; Ngvieng Yale; Ngvieng Vaing Vang; Pham Vilay all designated as “Vietnamese’s spy” from Kratie [Northeast Zone]].

3231 See **VIII.I. Purge of Division 117 and Sector 505; VIII.D. S-21 Security Centre.**

3232 **D114/32** Meas Saran WRI, A36 [“For the traditional wedding ceremony, there would be music, a wise man and parents would be present, the hair-cutting ceremony, and the bride price ceremony would be conducted”]; **D114/33** Hem Ang WRI, A173 [“Prior to the Khmer Rouge regime, during a wedding ceremony, there was traditional music, singers, and a feast”]; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992283 [“typically run for two to three days and include extended family and friends, during which various religious and cultural rituals [were] performed”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488 [“Traditional Cambodian wedding ceremonies however involve lengthy ceremonies and a large celebration involving the couples parents, family and friends”].

3233 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 14.15.48-14.17.12 [“they are surrounded by their relatives, parents and grandparents who all bless them”]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 10.59.18-11.04.37 [“even though the single girls were consulted by her parents about her marriage, they blindly agreed to the marriage [...] happy to accept and follow the decision by their parents”]; **D114/297.1.30** Kasumi Nakagawa, T. 14 Sep 2016, 09.29.52-09.31.12; **D114/297.1.25** Om Yoeurn, T. 23 Aug 2016, 10.34.42-10.37.55; **D114/64** Em Sarin WRI, A209 [“There are differences between Khmer Rouge weddings and our traditional weddings. Traditional weddings last at least a day and night. There is traditional music. The elderly, as well as the parents of the bride and groom, attend the traditional weddings. Traditional weddings include ceremonies such as the tying of wrists, the hair-cutting ritual, the married couple's greeting, and the wedding reception at the end. In contrast, the Khmer Rouge weddings lasted for an hour or two with no traditional music, nor ceremonies”]; **D114/33** Hem Ang WRI, A174 [“When the men’s parents knew which women their sons loved, the parents went to meet and proposed to the women’s parents. They would chew areca and betel leaves together”].

3234 **D114/297.1.26** Sou Sotheavy, T. 24 Aug 2016, 13.41.18-13.43.45 [“If the girl agrees, the marriage would happen”]; **D114/38** Chum Roem (Chea Roem) WRI, A113 [“Q: In wedding arrangements, traditionally the

- parents arrange the marriage and choose the spouse for you, and you would agree to get married, wouldn't you? A113: I would"; **D114/33** Hem Ang WRI, A174 ["The women's parents asked their daughters if they agreed to get married, the parents of both sides would set a date to hold the wedding ceremony"]; **D114/297.1.30** Kasumi Nakagawa, T. 14 Sep 2016, 09.29.52 ["the daughters were expecting the parents to decide on her marriage. So we would say that she [...] blindly agreed upon the proposal by the parents for a marriage because there was a mutual trust. The daughters trust[ed] that their parents would make the best possible selection or the best possible decision for her and for her family because [marriage] is not an individual matter, whereas in the Khmer Rouge time, [the] Khmer Rouge failed to gain the trust by those married couple[s]"].
- 3235 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.56.22-14.02.17 [Forcibly married to a handicapped soldier in 1975 while at the Ministry of Commerce], 14.15.48-14.17.12 ["If you compare the marriage took place under the Khmer Rouge to the previous practice before and after the Khmer Rouge regime, it is absolutely different. During the Khmer Rouge we were matched up in five or 10 couples each time or sometimes there were 100 couples each time, but at present [...] Only a couple is celebrated the marriage during one ceremony and they are surrounded by their relatives, parents and grandparents who all bless them. There are traditional procession and blessing [...] it's like you compare the earth to the sky [...] I felt upset when I thought of the way that I was married [...] I am upset with my destiny"]; **D114/33** Hem Ang WRI, A155, 173 ["There were wedding ceremonies celebrated without following Cambodian traditions [...] A173: Prior to the Khmer Rouge regime, during a wedding ceremony, there was traditional music, singers, and a feast. But during the Khmer Rouge regime, they ordered us to sit at a long table facing each other and they gave each of us a coconut. There was no food, and they ordered us to exchange vows one by one"].
- 3236 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 15.00.49-15.04.24 ["Q: [...] were forced marriages occurring in Democratic Kampuchea in most provinces during that period of time? A: Yes, that's correct"]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449489 ["The consistency of the description of the ceremonies across geographical areas indicates a top level policy of forced marriage. [...] it is clear the policy existed, the variation was only in the implementation"]; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992278 ["the regime forced many single or widowed people to marry for 'Angkar' [...] 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 [...] exerted widespread and systematic control over the population"].
- 3237 **D234/2.1.137** Preap Sokhoeurn WRI, A12-13 ["In 1977, the Khmer Rouge arranged a marriage. At that time, they forced me to marry a handicapped man whom I did not love [...] A13: I was *Angkar*'s asset, so I had to follow *Angkar* and that if *Angkar* ordered me to enter a crab hole, I would do so"]; **D114/32** Meas Saran WRI, A31-32 ["In that era, they completely owned us [...] A32: No one dared to refuse [to marry] because we were afraid they would not let us stay alive"]; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992278 ["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* **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 11.27.10-11.28.17 ["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 ["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"].
- 3238 **D4.1.874** *Revolutionary Youth*, Nov 1975, EN 00522460-61, FR 00525856-58, KH 00063614-17. **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533 ["'Mothers should not get too entangled with their offspring,' Pol told the Central Committee. 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"], 00396524 [Khieu Samphan stated at a political education session at K-15: "spiritual private property is more dangerous, it comprises everything that you think is 'yours,' everything that you think exists in relation to yourself - your parents, your family, your wife [...] Thinking in terms of 'me' and 'my' is forbidden. If you say 'my wife,' that's wrong. You should say 'our family'. The Cambodian nation is our big family [...] That's why you have been separated: the men with the men, the women with women, the children with children [...] We are the child of *Angkar*, the man of *Angkar*, the woman of *Angkar*"].
- 3239 **D98/1.2.16** Kaing Guek Eav alias Duch, T. 20 Mar 2012, 11.13.29 ["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”]; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992278.
- 3240 **D114/36.1.59** CPK Publication, *Revolutionary and Non-Revolutionary World Views Regarding the Matter of Family Building*, reprinted from 2 Feb 1974 on 2 Jun 1975 and republished on 2 Sep 1975 (1000 copies) (“Family Building policy document”).
- 3241 **D114/36.1.59** Family Building policy document, EN 00417943; **D4.1.817** Bun Thien WRI, EN 00384409; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421891 [“One of the policies of the *Angkar* was to destroy traditional Cambodian family structure. [...] 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”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449489 [“this policy [...] was probably aimed at maintaining control over individuals; ensuring reproduction while also attempting to eliminate love and family relationships, which were considered a distraction to the goals of the revolution”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237930-31.
- 3242 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 15.13.40-15.16.17 [Khieu Samphan instructed “that we should not have any feelings towards our parents and that we should detach ourselves from our parents”], 15.17.42-15.19.38 [“Angkar said, that we were with Angkar and Angkar -- we were under the supervision of Angkar, and that we should not look for the parents because Angkar was the parents”]; **D4.1.806** Cheang Sreimom WRI, A8 [“I did not dare to reject the wedding [...] we were told that ‘we were children of *Angkar*’”].
- 3243 **D114/36.1.59** Family Building policy document, EN 00417942-43 [“matters of family [are] being inseparable from matters of the entire nation [...] 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”]; **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.47.14-13.51.10 [Khieu Samphan required that all ministry female workers above 19 be married in order to produce children]; **D11/54/3.1** Kul Nem, T. 24 Oct 2016, 15.11.34 [Mondulkiri: “They said that if we did not produce children for Angkar, then we were against the law”]; **D114/297.1.36** Nget Chat, T. 25 Oct 2016, 09.25.32-09.30.48 [“we had to commit [...] to produce as many children as possible [...] so that Angkar would have stock of children”]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.49.44-10.51.27 [“we had to love each other from the time onward and had to work hard to produce rice [...] 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 [“My pregnancy was not out of my decision or planning, but it was the target by Angkar that we were required to produce children”]; **D234/2.1.67** Elizabeth Becker, T. 9 Feb 2015, 13.35.32-13.37.45 [“family groupings [...] discouraged so that they would be working, working, working”]; **D234/2.1.137** Preap Sokhoeurn WRI, A31 [“they needed young men and women to get married to produce more children to add to the revolutionary forces”]; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533, FR 00639883 [“The family [...] primary purpose became ‘to beget children for the service of the Party’”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449494 [“to ensure reproduction, forced sex was a necessary part of the marriage”]. *See also* **D4.1.50** *Revolutionary Youth*, April 1976, EN 00392451.
- 3244 **D114/36.1.59** Family Building policy document, EN 00417945.
- 3245 **D234/2.1.127** Chea Dieb, T. 31 Aug 2016, 09.47.53 [“I asked the permission to go and see my siblings and parents, but the request was rejected because Angkar was my parents”]; **D234/2.1.67** Elizabeth Becker, T. 9 Feb 2015, 13.35.32-13.37.45 [“children were no longer living with their families [...] they were sent on [...] Children’s Brigade”]; **D54/120** Prom Kem WRI, A3 [Ream villager working in a cooperative: “We could not contact our families. We only met while working at the worksites and talked and exchanged the fewest words. They did not allow us to have feelings for one another, even between parents and children. Contacts between family to family or village to village were completely cut off. [...] As for those who had spouses, the husbands were put to work at different locations, and the wives worked at other worksites, and once in a long while, once during a period of many months, they permitted them to meet”]; **D114/123** Chuon Thy WRI, A22; **D234/2.1.34** Katrina Natale, *I Could Feel My Soul Flying Away From My Body*, EN 00992134 [“Husbands, wives, parents and children were often separated into distinct work”]; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396534, FR 00639883.
- 3246 **D114/91** Seng Ol WRI, A72 [“Young boys and girls were taken from their parents. They had their own teachers”]; **D114/297.1.30** Kasumi Nakagawa, T. 14 Sep 2016, 09.43.49-09.45.27 [“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 [...] When the mother stopped breastfeeding, [the]

mother was not allowed to see a child”]; **D234/2.1.68** Elizabeth Becker, T. 10 Feb 2015, 10.43.49-10.45.56 [“children were discouraged from seeing their parents as their authority figures”]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 15.11.46 [“my children were not considered as my children anymore [...] They were managed by *Angkar*”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421891 [“The *Angkar* educated child soldiers to spy [on] what their parents were saying against the *Angkar* to dissolve the tie between children and parents”]; **D234/2.1.34** Katrina Natale, *I Could Feel My Soul Flying Away From My Body*, EN 00992134.

3247 **D114/75** Sin Sisophal WRI, A64 [“I joined the Communist Youth League of Kampuchea, which was the core force of the Party”].

3248 **D114/75** Sin Sisophal WRI, A63. *See also* **D114/75** Sin Sisophal WRI, A71 [“First, no marriage was allowed though anyone wanted to get married. Second, if marriages were allowed, those marriages were forced by *Angkar*”]; **D114/103** Liet Lan (Nam Lan) WRI, A202 [“I knew that they intended to increase the population. Those who had requested to marry between 1971 and 1975 were not allowed to do so. However, at that time, they forced everyone to marry. For example, four couples were wed on one night”].

3249 **D234/2.1.14** Gina Chon & Thet Sambath, *Behind the Killing Fields*, 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”].

3250 **D114/36.1.59** Family Building policy document, EN 00417942, KH 00407100, FR 00593929 [“many youths have absorbed the world views of the oppressor class. They search out spouses or build families only out of personal material greed. [...] they seek out family interests or happiness by completely breaking from the interests and the fate of the entire nation and people”], EN 00417943, KH 00407100-01, FR 00593930 [“If both are inside the ranks, it is imperative to choose someone who has a solid revolutionary stance [...] Therefore, we do not just chose someone who is good-looking and who knows how to dress and make themselves up playfully in the modern imperialist style, or who is the child of a wealthy person, or who has high old society cultural abilities [...] or who has some high position”]; **D4.1.919** Kaing Guek Eav alias Duch WRI, 2 Dec 2009, EN 00414334 [“after 1979 [...] I would meet spouses who explained to me that they were forced to marry a person they did not know and that the marriage had been collective [...] Ta Mok would gather future spouses by the hundreds and forced them into marriage”]; **D4.1.886** *Revolutionary Flag*, Sep-Oct 1976, EN 00450538 [“Private ownership in organization, 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”]; **D4.1.874** *Revolutionary Youth*, Nov 1975, EN 00522461; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533, FR 00639883.

3251 **D4.1.886** *Revolutionary Flag*, Sep-Oct 1976, EN 00450539 [“No aspect of private ownership is good [...] private ownership has always had a negative impact on the revolution. [...] 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 [...] a contradiction with the Party”]; **D234/2.1.20** CPK Publication, *Sharpen the Ideology of the Proletarian Class*, EN 00743806-07.

3252 **D114/36.1.59** Family Building policy document, EN 00417944 [“our Revolutionary Youth comrades must [...] be really vigilant toward this matter of family building. If we do not respect organizational discipline, if we do not respect the collective, if we do not take firm revolutionary stances, and if we are free and all over the place in terms of morality, we will surely build families incorrectly and not be accordance with the Party line, and we will surely encounter bad elements or even clandestine enemy agents”]; **D4.1.893** *Revolutionary Youth*, Oct 1978, EN 00539994 [“when we impact male-female morality, that is the true corrupt and rotten nature of the enemies [...] this enables the enemy to attract us. Therefore, this is dangerous for us and is dangerous for the revolutionary movement”].

3253 **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237929.

3254 *See* **VIII.D. S-21 Security Centre; VIII.A.3. Categories of Bad and Affiliated Elements Within Division 164 that Were Purged; VIII.C.3. Wat Enta Nhien Security Centre; VIII.C.4. Toek Sap Security Centre; VIII.E. Stung Hav Worksites – 3. Crimes** [Murder and Enforced Disappearances; Other Inhumane Acts – a) Inhumane Treatment]; **VIII.F. Ream Area Worksites – 3. Crimes** [Murder, Extermination, and Enforced Disappearances; Other Inhumane Acts (Inhumane Treatment)].

3255 **D11/255/3.1** Hun Sethany, T. 27 May 2015, 14.40.06-14.43.20 [“We did not have enough food to eat [...] From August, September, October, and November, most female workers in my village had no menstrual cycle”]; **D114/297.1.36** Nget Chat, T. 25 Oct 2016, 09.25.32-09.30.48 [“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”]; **D11/54/3.1** Kul Nem, T. 24 Oct 2016, 14.31.18-14.35.12 [her young wife had a miscarriage due to exhaustion and many other couples experienced the same]; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237929 [“Many women stopped menstruating entirely, partly because of malnutrition, partly because of the trauma”]; **D114/36.1.64** Seng Ol WRI, A16; **D114/297.1.1** Ros Suy WRI, A85-86 [“First, they wanted population growth [...] Even women after giving birth, they did not allow them to drop all the blood from their wombs because they wanted them to have more babies soon. According to Khmer traditional treatment, traditional midwives had to take all the bad blood out of the womb so that they would have good health and to avoid bruising on the face. Moreover, women who had many children did not have good health. But during that era, they wanted women to have more children”]. As for the mortality of babies born after forced marriage, as a result of overwork and lack of healthcare, *see, e.g.*, **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.53.07-10.57.24, 11.10.21-11.12.08.

D114/297.1.27 Seng Soeun, T. 29 Aug 2016, 15.06.45 [Sector 25: “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”]; **D114/95** Yoem Sroeng WRI, A258 [“If they kept their feelings or relationships secretly, they would be accused of committing a moral offence. So they would be punished”]; **D114/36.1.31** Phat Duongchan WRI, EN 00375683 [“the person who had committed a moral offense, meaning that falling in love with each other, secretly loving each other [...] would have to be taken to be killed”]; **D114/34** Nap Somaly WRI, A159-161; **D114/32** Meas Saran WRI, A119 [“they always reminded us that if men and women had a secret relationship before getting married, they would accuse them of committing moral offences and would punish them. So everyone was frightened and dared not make any transgressions”]; **D4.1.817** Bun Thien WRI, EN 00384409 [“‘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*, EN 00237929 [“Any sex before marriage was punishable by death [...] Young people were segregated by sex and expected to [...] forget about the opposite sex. Predictably, the birthrate dropped dramatically”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, 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 [...] a pregnancy without a marriage was a moral offence [...] Even a victim of [rape] was punished for committing a ‘moral offence’”], 00421892 [“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”]; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533-34, FR 00639883 [“Marriage [...] was a Party, not an individual affair”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449476 [“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 *Angkar* would punish or kill both a victim and a rapist if it discovered the rape”]; .

See VIII.H.3. Implementation of the National Forced Marriage Policy - Separation.

D4.1.888 *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491435 [Nuon Chea: “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. For our population to constantly increase the livelihood of the people must rise [...] this means quickly increasing production”]; **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486263 [“We must double our efforts [...] so the Kampuchean population can increase in number rapidly enough to effectively defend and build our Kampuchea into a prosperous and developed country”]; **D69.1.42** Khieu Samphan, *Considerations on the History*, EN 00498284 [“Short was correct when he wrote: ‘Pol [Pot]’s [...] 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’”]; **D234/2.1.22** Ieng Sary Statement, Letter to the U.N. Secretary General, EN 00075933 [“Three years after [...] the policies designed to increase the population have begun to produce their first successful results”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237929; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449494.

D4.1.872 *Revolutionary Flag*, Oct-Nov 1975, EN 00495808 [“our country’s degraded agriculture has to be rapidly shifted to a modern agriculture between ten to fifteen years. Agriculture shall be shifted to industry between fifteen to twenty years [...] [The acceleration of the country’s reconstruction] is another prerequisite to accommodate a rapid increase in our population”]; **D4.1.864** *Revolutionary Flag*, Sep 1977, EN 00486263; **D234/2.1.40** Nuon Chea Written Record of Adversarial Hearing, 19 Sep 2007, EN 00148699 [“Making revolution requires people, and building the nation also requires people”].

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D4.1.888 *Revolutionary Flag*, Dec 1976-Jan 1977, EN 00491435 [“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”]; **D4.1.864** *Revolutionary Flag*, Sep 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”]; **D4.1.189** Ieng Sary Statement to the UN General Assembly, 11 Oct 1977, EN 00079815, paras 60, 63 [“we need a population of 15 to 20 million in 10 years’ time [...] 63: [...] our population is still far short of our country’s capacity, which has a need of more than 20 million people”]; **D234/2.1.40** Nuon Chea Written Record of Adversarial Hearing, 19 Sep 2007, EN 00148699 [“The Five Year Plan of the Party was to increase the population to 15 million”]; **D114/103** Liet Lan (Nam Lan) WRI, A204 [“Their plan was intended to increase the population to 20 million by 2000”]; **D54/74.1.6** FBIS, *Pol Pot Speech at 27 Sep KCP Anniversary Meeting*, Oct 1977, EN 00168651; **D234/2.1.33** Khieu Samphan Statement, 16 Apr 1978, EN S 00010565 [Khieu Samphan lists resolutions adopted by the Party, including “(6) increase the size of the population to its maximum, so as to have 15-20,000,000 people in the next 10-15 years” and (7) “maximize the size of the population within one year, three years, five years, 10 and 15 years”]; **D4.1.1013** Pol Pot Statement to the Belgium-Cambodian Association Delegation, 5 Aug 1978, EN 00574566; **D4.1.871** *Revolutionary Flag*, Sep 1978, EN 00488637 [Pol Pot: “Our policy to increase the population is receiving good results [...] From mid 1977 through mid 1978, the number of births was 392,000 from a population of 7,800,000 persons. [...] Presently, the [dea]th rate is less [than] 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”]; **D64.1.44** FBIS, *Countrywide Medical Conference Issues Resolutions*, 9 Nov 1978, EN 00170124. In a propaganda exercise, Nuon Chea claimed in 1981 that the DK population increased in 1976, 1977 and 1978. See **D234/2.1.38** SWB, *Interviews with DK Leader (Nuon Chea)*, 27 Oct 1981, EN S 00030349 [“the four-year plan of 1977-1980 aimed at increasing our population to at least 15,000,000 within five to 10 years. As a result of this plan, our population has increased as follows: From March to December 1976, it increased by 160,000 or 2%; in 1977 it increased by 220,000 or 2.8%; and in 1978 it increased by 260,000 or 3.2%”].

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D114/297.1.28 Chea Dieb, T. 30 Aug 2016, 13.47.14-13.51.10 [“During the meeting at Ounalom Pagoda], he [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. We should not keep them unmarried. [...] He did not say about whether the marriage was based on love or not, but he just simply said this should be arranged to get – to get married for the female youth with the age above 19 and the male youth with the age of 25 years old. He asked all ministries to arrange marri[age] for all male and female youths. We should not [keep] them all without marriage [...] He said that they should [...] get married so that they would produce children [...] when they produce children, we will have more forces to defend our territory. [...] Not long after he said that, my forces were arranged to get married during the DK regime”], 15.04.52-15.06.55 [“Q: [...] Khieu Samphan said that the purpose of getting married [...] was to produce children? A: That’s what he said and not only him who said that. During all meetings that I attended they talked about the same thing, all cadres raised the same point”]; **D4.1.1056** Chuon Thy WRI, A4 [Division 1 regiment commander referring to a June 1978 meeting; 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.’ In this sense, Pol Pot stated that he required arrangement for marriage to increase number of population by instructing lower echelons to arrange the wedding for people”]; **D114/123** Chuon Thy WRI, A21, 28, 32, 35 [“I remember Pol Pot saying that we were in need of additional forces [...] over the next 10 to 20 years the plan was to increase the population to between 20 and 30 million. Therefore, from then on we had to increase the number of marriages between young men and young women to improve the population to promote progress [...] A28: Pol Pot [...] just said there was a need for marriage to increase the population [...] A32: They only told us to arrange marriages for young people [...] A35: The policy to increase the population was widely circulated, because they wrote and posted slogans and banners everywhere. They also announced the policy at meetings about building forces and increasing the population to between 20 and 30 million”]. See also **D234/2.1.14** Gina Chon & Thet Sambath, *Behind the Killing Fields*, EN 00757496, FR 00849377-74, KH 00858253-54 [“Because they wanted to double the population, the Khmer Rouge wanted to increase the number of marriages [...] The opinions of the prospective groom and bride did not matter. Marriage became a government policy and an institution that served the revolutionary cause”].

- 3262 **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.05.50 ["They made an announcement that, 'The population of Cambodia is not that great and for us, male and female youths we strive to work best. And for that reason Angkar required us to get married to increase the population.' That's why we knew that that was the day that we were forced to get married"], 15.11.15 ["We had gratitude for Angkar who organized the marriage for us and that we would become husband and wife and produce children as required by Angkar. That's the resolution that I made. Then they clapped their hands"], 15.17.35 ["They spoke about producing children for Angkar, having respect for Angkar, and anybody who betrayed would be smashed"]; **D234/2.1.96** Meas Voeun, T. 3 Feb 2016, 10.40.55-10.45.23 ["Q: was this drive to have the [Division 1] troops get married have anything to do with this will to increase Cambodia's population? A: Yes, that is correct"]; **D234/2.1.137** Preap Sokhoeurn WRI, A31 ["Before starting the wedding, Sau announced [...] 'Angkar needs more forces,' so they needed young men and women to get married to produce more children to add to the revolutionary forces"]; **D114/297.1.1** Ruos Suy WRI, A85-86 [Ministry of Commerce: "they wanted population growth [...] A86: they had the idea to increase the population. Even women after giving birth, they did not allow them to drop all the blood from their wombs because they wanted them to have more babies soon [...] women who had many children did not have good health. But [...] they wanted women to have more children"]; **D234/2.1.88** Prak Yut, T. 19 Jan 2016, 13.41.08-13.43.40 ["Q: Were couples who married required to sleep together? A: After the marriage, it is common sense that they had to consummate their marriage. Then, if not, what was the purpose of marriage? [...] Q: [...] in her OCIJ interview, E3/9507 at answer number 80, [You Vann] gave the following testimony. Question: 'Who imposed the rule that a married couple had to sleep together?' Answer: '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.' End of quote. Do you remember Ta An announcing a rule that couples had to sleep together in order -- for purposes of national progress? A: I cannot recall the details whether he made that announcement"]].
- 3263 **D114/303** Chuon Thy WRI, A22, 24, 26-27, 30, 57, 60 ["Q: Do you recall saying that the purpose of those marriages was to increase the population from ten to twenty millions in the next ten to twenty years? A22: Yes I do. I was exactly like what I said. At the time I was also arranged to be married [...] Q: Was that policy in place immediately in 1975 after the Khmer Rouge took power or was it set in 1976 or 1977? [...] A24: As far as I know it was announced after the Khmer Rouge gained victory. That means it was in place since 1975 or 1976 [...] Q: How did you know about the policy to increase the population? A26: I knew it in the meeting [...] A27: It was a general and open meeting. All units had to know about it [...] A30: Pol Pot [was there] [...] Q: The policy of marriages existed from 1975 to 1978. Is that correct? A57: Yes it is [...] Q: When did you receive your first instruction or plan to arrange the marriages for the combatants? A60: I got it since 1975"]].
- 3264 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.48.56 ["Q: When [Khieu Samphan] said that older male and female youths should be arranged to get married, did he explain the reason why? A: He said that they should [...] get married so that they would produce children [...] we will have more forces to defend our territory"]; **D234/2.1.22** DK Statement to UN, 13 Jun 1978, EN 00235727 ["ensure that the population of Kampuchea increases rapidly in order to defend and develop the country and to achieve prosperity by leaps and bounds. [...] today's population of 8 million is well below the potential of the country, which needs more than 20 million"]; **D114/123** Chuon Thy WRI, A30 [Division 1, Regiment Commander: "I had to report the number of couples to the upper echelons [...] Because the situation during that time was in turmoil during 1978-1979, they forced multi-couple weddings"]; **D114/297.1.1** Ruos Suy WRI, A77-78, 84, 90-91 ["The marriages began in 1976, but strict measures were implemented from 1977 [...] I mean that 100 couples per month had to get married"]].
- 3265 **D114/297.1.1** Ruos Suy WRI, A75-78, 84-85, 90 ["there was a plan which required the unit (the State Warehouse unit) to have 100 couples married per month [...] A77: The marriages began in 1976, but strict measures were implemented from 1977 [...] A78: 100 couples per month had to get married [...] A84: I think that it [the order] was issued by the ministry chairman. [...] A85: they wanted population growth [...] A90: I just know that Rith alias Roeung ordered my chief, and my chief ordered me to prepare vehicles. [...] 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"]].
- 3266 **D4.1.810** Seng Soeun WRI, A65, 67 ["I was asked to match men and women and the men had to be two or three years older than the women. [...] A67: That was the policy of the Khmer Rouge Regime that when people reached certain age, they had to marry. For women, the age was from 20 and above while for men they had to be aged from 25 [and] above" (*emphasis added*)]. See also **D114/297.1.1** Ruos Suy WRI, A75.

- 3267 **D144/66** Chet Bunna WRI, A29 ["I want to tell you that the rule to ban people younger than 25 years-old from getting married became less restricted in late 1978"].
- 3268 **D114/64** Em Sarin WRI, A189-191, 199 [Forced to marry a 15- to 16-year-old when he was 29 or 30]; **D114/38** Chum Roem WRI, A91 ["Thi only told us that they had proposed marriage for those who [were] older than 15 years old"]; **D114/66** Chet Bunna WRI, A32 ["Sister Pov's age was far different from Ta Seng's age. Sister Pov was about 18 or 19 years old, the same age as I was then. As for Ta Seng, he was already over 40 years-old"]; **D114/170** Prum Mon WRI, A15 ["18 years old"]; **D114/129** Oem Hun WRI, A73 ["At that time, I was 16 years old, turning 17"]; **D4.1.472** Math Sor alias Ahmad Sofiyah WRI, EN 00274708 ["I got married when I was 17. The Khmer Rouge told me whom I had to marry"]; **D4.1.927** Heng Lai Heang WRI, A30 ["I was only 18 years old, and I did not want to get married"].
- 3269 See para. 819, fn. 3309.
- 3270 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.54.56-13.56.22 ["I never consulted with my parents or siblings [...] although I wanted to ask for permission to visit them but they did not allow me to do so"]; **D234/2.1.137** Preap Sokhoeurn WRI, A22; **D114/33** Hem Ang WRI, A175.
- 3271 **D234/2.1.74** Muol Eng WRI, A222 ["the biographies of the people [who] would get married would have to be cleared first. The Khmer Rouge did that to control the people. They were afraid that the people could be their enemies. Even I could not choose some[one] I loved to get married"]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, 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 [...] it was strictly controlled by the *Angkar* at the village level"]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.31.15 ["during the Khmer Rouge time [...] they had to ask permission and approval"]; **D234/2.1.137** Preap Sokhoeurn WRI, A34 ["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. [...] The men and women who were assigned to get married were not aware of it until the wedding day. Sometimes, when they could not find the people whose names they had selected to get married, and they selected new people instead"]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992278; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533-34, FR 00639883 ["'Free choice of spouses' was explicitly condemned"].
- 3272 **D114/36.1.59** Family Building policy document, EN 00417943, KH 00407101, FRE 00593930 [For Party or Youth League members: "It is imperative to look at their background very clearly first. That is to say, they must be clean in living morals and clean politically, without involvements with any enemy strings or bad elements. [...] If both are inside the ranks, it is imperative to choose someone who has a solid revolutionary stance"]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.59.58 [Sector 13: "if a woman was a progressive person or member of the Youth League [...] on the men's side, the person was a member of the Party could propose to that woman [...] everything was based on the background"], 10.03.54 ["we were told firmly that Youth League people or progressive people should only propose to their own peers. And likewise, Party members should propose to other Party members only [...] if I were to love a 17 April woman, I would not be allowed. I would be directed to propose to another woman who was my peer"]; **D11/255/3** Meas Layhuor, T. 26 May 2015, 09.31.46-09.36.40 ["if the man was rich, we would not be paired up because we were of different background [...] If they were of different backgrounds, they could not get married [...] Cham married their own people"]; **D234/2.1.76** Om Chy, T. 30 Jul 2015, 14.13.33 ["They reviewed the biographies and if they matched, then they would organise for the couple to get married. For example, if they both belonged to the same peasant class"], 14.15.28 ["if they were both evacuees from Phnom Penh then they could be matched [...] so the Cham people could be matched with the Cham people"]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 09.59.46-10.01.08, 11.03.15 ["When I was asked to get biographies from both men and women from the mobile units, I matched them according to [...] their status, whether they were New People or Base People"]; **D114/297.1.28** Seng Soeun, T. 30 Aug 2016, 11.17.43; **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 10.45.36; **D114/297.1.26** Sou Sotheavy, T. 24 Aug 2016, 09.43.55; **D4.1.1003** **D4.1.537** **Au Hau** WRI, EN 00250047 [new people married new people, old people married old people, Cham married Cham and Chinese married Chinese]; **D4.1.926** Seng Chon WRI, EN 00400458; **D4.1.810** Seng Soeun WRI, A65-66, 69; **D114/36.1.63** Kheu Hun WRI, EN 00272626; **D11/231/4** Sum Chanthol WRI, A120; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488.

- 3273 **D234/2.1.87** You Vann, T. 18 Jan 2016, 11.31.21-11.33.27 ["the men would make such a proposal to their group chief, then to the village chief, and through this chain of command, it would be sent to the district level"]; **D114/146** Uy Nhoek (Uy Nhik) WRI, A38-40 ["At that time, I made a request to get married but they did not permit me to get married [...] A39: I was at Ream in 1976, when I was in Division 164 [...] A40: First, we had to make our own biography and submit the biography together with our marriage request. We had to include the name of our unit. For example, I was in Division 164 and if I wanted to marry a woman in that sector or another unit, I had to submit my marriage request to her workplace. Then they would review my request and biography. If they had suspicions about my biography, they would not approve my marriage request"]; **D4.1.810** Seng Soeun WRI, A69 [S'ang District: "I would write the names of those to be coupled and then I would pass the names on to the district committee to announce who goes with whom"]. Examples of rejected marriages: **D114/297.1.8** Moeng Veth WRI, A164 [Division 117: "Sometimes when a man proposed marriage to Woman 'A', at the actual ceremony, he had to marry Woman 'D' [...] Then they could not reject that person"]; **D234/2.1.74** Muol Eng WRI, A223-225 [Military forced to marry a woman he did not know after his regiment commander refused him to marry the woman he loved because she was related to a Lon Nol soldier]
- 3274 **D4.1.650** Report from M-401 to *Angkar*, 4 Aug 1978, EN 00315383, FR 00593538, KH 00143617; **D4.1.647** Report from M-401 to *Angkar*, 16 Jul 1978, EN 00289924, FR 00611450, KH 00143579; **D114/123** Chuon Thy WRI, A30 [Division 1 Regiment Commander: "in my unit, I had to report the number of couples to the upper echelons. Other units did the same. Because the situation during that time was in turmoil during 1978-1979, they forced multi-couple weddings"]
- 3275 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.01.21 ["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"]; **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.53.11 ["After the supervisor asked me, I was informed that three days later I would be married"]; **D234/2.1.125** Mey Savoeun, T. 17 Aug 2016, 10.09.47 [East Zone soldier: "I learnt that information one day before the ceremony took place"], 14.15.36 ["Only a day before [...] the mobile unit's chief told me about the proposed marriage and [her] name was mentioned"]; **D234/2.1.76** Khin Vat, T. 30 Jul 2015, 09.36.43 ["I was told that at 5 a.m. the next morning, I had to be ready to depart for Kampong Chhnang. I did not know [...] my future husband at that time"]; **D114/297.1.27** Seng Soeun, T. 29 Aug 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"]; **D234/2.1.137** Preap Sokhoeun WRI, A13, 23; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992279, 00992281-82.
- 3276 **D234/2.1.137** Preap Sokhoeun WRI, A13 ["As soon as I arrived, [Ni Li, mobile chief] asked me whether I would obey *Angkar's* order. I told her that I was *Angkar's* asset, so I had to follow *Angkar* and that if *Angkar* ordered me to enter a crab hole, I would do so"], A28; **D4.1.740** Mour Setha WRI, EN 00373370 ["In 1978 [...] my unit chief named Reun asked me if I followed *Angkar*. I replied that I followed *Angkar*. Next day, the Khmer Rouge held a big meeting to arrange weddings for approximately 30 couples including myself"]
- 3277 **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 11.19.05 [Samlaut District: "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"]; **D11/54/3.1** Nget Chat, T. 24 Oct 2016, 15.58.07 [Bakan District, Aug 1978: "I had no idea which man I would be matched up with"]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.37.06-10.44.30 ["I asked the unit chief, 'Comrade, why are there many people here?' And she answer[ed], 'You will know soon because people from the upper level come to preside over the assembly.' [...] I saw men sitting in one row and women sitting in one row. I was suspicious [...] Later on, people from the upper level [...] asked us to stand up and make the commitments [...] I started to know that perhaps it was a marriage ceremony, so I started to feel fearful [...] I felt painful because like cattle, we were paired up without knowing each other"]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 09.56.58 ["they were not aware [...] in advance about their marriage [...] I can confirm that those couples were not informed beforehand"]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.47.50 ["To put it [simply], it was just like a meeting. People were mobilized to have a meeting and [...] it was a wedding"]; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.03.54; **D114/87** Chhouk Rin WRI, A71 [Division 230: "I was assigned to get married without any prior information. I did not know my bride"];

- D4.1.806** Cheang Sreimom WRI, A8 ["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 believed that I did not have other choice. I cried in my mind, and I was very sad [...] Tri Touch [...] did not know about the wedding either"]; **D10.1.65** Uk Phorn WRI, EN 00372932 ["*Angkar* called me to a meeting; when I arrived, they arranged for me to make the marriage vows. Then the district com. said, comrades, you must respect what has been organized by *Angkar*"]; **D234/2.1.74** Muol Eng WRI, A20, 208, 211; **D114/32** Meas Saran WRI, A2, 6, 10, 13 ["When I arrived at the cinema, I was surprised [...] I asked [...] what was going on, and they told me that they were arranging a marriage ceremony. I wanted to escape, but I could not because there were [Division 3/164] soldiers"]; **D54/29** Liet Lan (Nam Lan) WRI, A3, 6.
- 3278 **D234/2.1.75** Mam Soeurn alias Heng Samuoth, T. 29 Jul 2015, 10.01.32 [Trapeang Thma Dam, 1977: "the marriage was held at the worksite [...] 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 ["after the event [...] a man [...] found that the bride in room was not his [...] there were so many couples that it was hard for him to know which bride was his"]; **D234/2.1.76** Khin Vat, T. 30 Jul 2015, 09.36.43-09.39.39 [Division 502 soldier: "I did not know the man, my future husband, at that time, and I only learned of his name when I met him at the wedding"]; **D54/29** Liet Lan (Nam Lan) WRI, A7 [Division 164: "some new couples even mistook their respective partners"]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.06.25-14.08.09; **D234/2.1.116** Him Huy, T. 4 May 2016, 15.23.15-15.25.45; **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.54.56-13.56.22; **D228/1.1.1** Tuon Sim WRI, A22, 24 [Division 310, 1977: "Some people confused their partners"]; **D114/87** Chhouk Rin WRI, A71-72; **D234/2.1.126** Om Yoeurn, T. 22 Aug 2016, 15.42.39-15.44.38; **D234/2.1.74** Muol Eng WRI, A211, 218; **D11/75** Chech Sopha WRI, A109-110; **D11/231/4** Sum Chanthol WRI, A111; **D114/297.1.1** Ruos Suy WRI, A75; **D114/75** Sin Sisophal WRI, A32; **D114/170** Prum Mon WRI, A12; **D114/120** Oum It WRI, A23 ["Probably in 1978, they arranged marriage for me as well as around ten other couples. My wife and I did not know each other beforehand"].
- 3279 **D234/2.1.137** Preap Sokhoeurn WRI, A27 ["*Angkar* selected young women to marry former aging monks. For some couples, for example, an 18-year-old girl was paired up with a 50-year-old man"]; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237959, FR 00638514, KH 00232336 ["Many monks were ordered to marry, which prevented them from returning to the clergy"]; **D10.1.60** Denise Affonco WRI, EN 00346935; **D10.1.65** Uk Phorn WRI, EN 00372932..
- 3280 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.58.20 ["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 again[st] the enemy any longer, they were brought in to get married"], 14.02.17 ["We were not allowed to choose"]; **D114/297.1.32** Sem Om alias Prum Iet, T. 21 Sep 2016, 10.07.22-10.11.23 [Chamkar Leu District: "I only knew that disabled soldiers had the rights to get married since they already became disabled"]; **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 13.43.22 ["were those handicapped soldiers sent to Samlout from all over the country with the sole objective of having them married, or there were other reasons [...] A: They were sent for marriages"]; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.47.07 [Bati District: "When the soldiers with disabilities sent back from the battlefields, they got married to those women, and those women even [...] the 18 People, they did not dare to refuse"]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 11.02.54-11.06.54; **D114/134** Suon Sann WRI, A181, 185 ["There were also disabled soldiers. If they like someone, they would be married to that woman [...] Q: Were the disabled soldiers treated the same? A185: They had the disabled soldiers choose their spouses at their base. They stayed in their base, and they ordered women to go there to be chosen"]; **D234/2.1.74** Muol Eng WRI, A220, 226-228 [Bavel District Secretary: "Ta Chay instructed me to arrange the marriage of the disabled soldiers as well as people from Srae Ambil [...] A226: Two women objected it [...] A227: 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 [...] A228: They had reluctantly agreed to marry them"]; **D234/2.1.137** Preap Sokhoeurn WRI, A12, 22, 24 ["In 1977 [...] they forced me to marry a handicapped man [...] A24: 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"]; **D10.1.35** Mao Phat WRI, EN 00272581 [Banlung District: "Sometimes I saw beautiful young girls marry old or handicapped men"]; **D114/34** Nap Somaly WRI, A141 ["There was a beautiful girl [...] ordered to marry to a disabled militiaman"]; **D114/64** Em Sarin WRI, A1, 6, 9, 150, 159-163, 197 [Division 2 Deputy Battalion Commander (amputee) forcibly married in August 1978 by Ren to a 15-16 years-old girl: "[Division Commander Ren] twice selected women for me but I resisted. By the third time he did not inform me again

- when he selected a woman for me. Upon my arrival there, I was forced to marry her”]; **D10.1.60** Denise Affonco WRI, EN 00346935; **D114/297.1.8** Moeng Veth WRI, A161.
- 3281 **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 15.49.18 [“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”]; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.14.21 [“There was none of the 107 couples who refused, however, we could see that some people shed their tears quietly, especially the women”]; **D234/2.1.137** Preap Sokhoeurn WRI, A13 [“Comrade Ni Li, she 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”]; **D4.1.806** Cheang Sreimom WRI, A8 [“I cried in my mind, and I was very sad”]; **D4.1.524** Tuoloas Sma El WRI, EN 00353497.
- 3282 **D114/36.1.59** Family Building policy document, EN 00417944 [“Our *Revolutionary Youth* comrades must pay attention and be really vigilant toward this matter of family building. If we do not respect organizational discipline, if we do not respect the collective, if we do not take firm revolutionary stances, and if we are free and all over the place in terms of morality, we will surely build families incorrectly and not be accordance with the Party line”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 10.14.35 [“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”]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.08.09 [“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”], 14.12.51 [“There [were] two patterns. One was that the Khmer Rouge or the village chief explicitly said [...] that they would be killed or a family member [would be] killed if they refused [...] the second pattern is that people are already terrified. They were living under the extreme fear if they were against the Khmer Rouge they would be killed”], 14.20.09 [“it was reported from all divisions that I visited, women were living under the terror, continuous terror”]; **D4.1.927** Heng Lai Heang WRI, A30 [“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”]; **D4.1.810** Seng Soeun WRI, A72-73; **D4.1.807** Ieng Chham WRI, A34 [Chief of 1st Jan Dam construction: “nobody dared to protest in that regime”]; **D234/2.1.137** Preap Sokhoeurn WRI, A12-13, 20; **D11/75** Chech Sopha WRI, A115; **D114/33** Hem Ang WRI, A162 [“no one dared to refused”].
- 3283 **D114/36.1.59** Family Building policy document, EN 00417943; **D114/297.1.8** Moeng Veth WRI, A77 [“If it [marriage] was already decided by *Angkar*, we could not complain or oppose the *Angkar* of the Party”]; **D234/2.1.137** Preap Sokhoeurn WRI, A20 [“Back then, we did not have rights to refuse their orders [...] although I did not know my husband, I had to marry him”]; **D10.1.65** Uk Phorn WRI, EN 00372932. Even prominent CPK members had to respect *Angkar*’s decision to marry them against their own will, such as Prak Yut, district secretary in 1975 (although she claims it might have been in 1973): **D234/2.1.94** Prak Yut DC-Cam, EN 01064271-72 [“he organized the arranged marriage for us in 1975 [...] Believe me, if we refused, they would say we were against them”]; **D114/129** Oem Hun WRI, A72, 74 [“In my heart, I did not want to get married. At that time, I refused it as well, but they told me that I had to respect the assignment of *Angkar* [...] A74: No matter how I refused, I had to get married”].
- 3284 **D234/2.1.108** Nhem En, T. 20 Apr 2016, 14.26.44-14.33.20 [In Division 703, S-21: “I met Khoeun [...] She was not happy [...] It was a forced marriage and of course you are aware of that nobody could make any objection to the arrangement by *Angkar*”]; **D114/297.1.46** Beit Boeurn, T. 28 Nov 2016, 11.21.57-11.24.06 [“For ordinary people, they did not have much right [to refuse to get married]. If *Angkar* organized them to get married, they had to get married”]; **D4.1.806** Cheang Sreimom WRI, A8 [“I did not dare to reject the wedding because in the meetings I had attended, we were told that ‘we were children of *Angkar*,’ and we had to follow *Angkar*’s arrangements; I believed that I did not have other choices. [...] I was asked if I agreed to love that man voluntarily or compulsorily; I said that no one forced me; then they clapped hands”]; **D114/36.1.63** Kheu Hun WRI, EN 00272626; **D4.1.460** Chhut Daung WRI, EN 00274086; **D4.1.808** Duk Suo WRI, EN 00404732; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488; **D234/2.1.74** Muol Eng WRI, A209-210.
- 3285 **D114/75** Sin Sisophal WRI, A21, 25, 35 [“If I refused, I would be separated from my siblings and mother. [If] I refused to get married I could have been separated and perhaps died. [...] A25: I wanted to refuse, but as I have just told you, if I refused, I could die or be separated from my family [...] A35: I just heard a rumour

that if we refused the marriage arrangement we would be killed”]; **D4.1.927** Heng Lai Heang WRI, A26, 30; **D114/34** Nap Somaly WRI, A154; **D54/29** Liet Lan (Nam Lan) WRI, A6.

3286 **D234/2.1.137** Preap Sokhoeurn WRI, A21 [“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 Proeung. [...] Later the union arrested her from the cooperative saying that she had disobeyed *Angkar*’s rules. [...] they tied her up and loaded her on an ox-cart. She disappeared after that. [...] Because of this experience, I was very frightened”]; **D10.1.28** Saom Mon WRI, EN 00163771 [“they were coerced into marriage [...] Specifically, a girl named Run objected and refused to marry and was removed from the unit”].

3287 **D11/54/3.1** Nget Chat, T. 24 Oct 2016, 16.02.04-16.06.35 [“I looked at the face of my spouse and he’s very old. I was only 20 years-old and he was over 40 [...] I did not dare to protest [...] they said that if I opposed I would be sent to the upper level [...] My [first] husband was just taken away to be smashed. I was still weeping. I felt afraid that I would die and leaving my children behind”]; **D114/297.1.36** Nget Chat, T. 25 Oct 2016, 09.10.37; **D234/2.1.76** Khin Vat, T. 30 Jul 2015, 09.36.43 [Division 502 soldier forcibly married at Kampong Chhnang airport]; **D114/297.1.1** Ruos Suy WRI, A77, 79, 83 [“Some people who were assigned to be married did not dare to refuse the assignment because of fear from being mistreated [...] 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. Among the 20 couples married at the same I was, only my couple still presently lives together”]; **D114/36.1.31** Phat Duongchan WRI, EN 00375683; **D114/34** Nap Somaly WRI, A154; **D4.1.808** Duk Suo WRI, A90-91 [“we did not dare to refuse because the power was in the hands of *Angkar*”]; **D4.1.818** Nut Nouv WRI, A103 [Tram Kak District, commune chief: “some couples just said they agreed for marriage as they were afraid”]; **D114/297.1.8** Moeng Veth WRI, A154, 161, 164-165, 168 [Successively in Division 2, SWZ, and Division 117, Sector 505: “The chiefs said, ‘[...] Women who are 25 years old have the right to get husbands. Men who are 30 years old have the right to get wives’. It was officially announced. However, in reality [...] at the cadre level, youths were forced to get married even if they did not love each other [...] A161: In some places, older women were told to marry bad-looking or disabled men. The unit chairpersons forced them to get married [...] A164: The women could not refuse. 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 [...] A165: Everyone was afraid [...] A168: [In Division 1 and 2] even if there was no proposal, they also randomly selected some names for marriage”]; **D4.1.522** Sou Soeun WRI, EN 00360116 [Ke Pauk’s wife: “Q: Did any of the girls in your group refuse the marriage? A: No, they did not. They rarely refused, although they did not like the men; and these people got divorced after the fall of the Khmer Rouge”]; **D114/87** Chhouk Rin WRI, A76, 82 [Division 230, 1976: “If we were assigned to get married, we had to do it and we could not choose our own spouse” [...] A82: My head would have been cut off if I had refused it”]; **D228/1.1.1** Tuon Sim WRI, A22; **D114/36.1.66** Kong Vach WRI, A48; **D234/2.1.130** Nop Ngim WRI, A11; **D4.1.926** Seng Chon WRI, EN 00400458; **D4.1.806** Cheang Sreimom WRI, A8; **D11/137/4** Heng My WRI, A186-187; **D11/231/4** Sum Chanthol WRI, A111; **D4.1.807** Ieng Chham WRI, A33; **D11/75** Chech Sopha WRI, A104, 115; **D234/2.1.137** Preap Sokhoeurn WRI, A20; **D4.1.534** Sok Thul WRI, EN 00242363; **D10.1.35** Mao Phat WRI, EN 00272581; **D234/2.1.74** Muol Eng WRI, A210; **D114/32** Meas Saran WRI, A31-32; **D4.1.426** Pechuy Chipse WRI, EN 00225211; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992279; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488 [“interviewees emphasized that unlike arranged marriages where, though arranged by the parents, the spouses consent to the union, in DK people had no choice but to marry the person chosen for them. Those who refused to marry were considered an enemy of *Angkar*”].

3288 **D11/54/3.1** Kul Nem, T. 24 Oct 2016, 14.24.56-14.26.27.

3289 **D234/2.1.76** Om Chy, T. 30 Jul 2015, 15.49.07; **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 10.20.01-10.22.01 [“Q: [...] In your capacity as the deputy chief of the office, did you participate in the decision-making process where forces who were under you were to get married? A: I did not have the authority to make that decision. The decisions came from the divisional commander and I would implement it. If people [...] loved each other, I did not have the authority to make that decision, I had to ask permission from the superior”]; **D114/91** Seng Ol WRI, A158-159 [“Q: Who selected and arranged for people to get married? A158: The decision came from the upper level. They decided those who were to be married [...] Q: Who was the upper level? A159: The commune”]; **D1.3.30.28** Analytical Report by the U.N. Commission on Human Rights, 30 Jan 1979, EN 00078662 [“Article 16: [...] Specific violations [...] relate to [...] the need to apply

- for permission to marry, the arbitrary handling of such applications, and the infringement of the right of free choice on the part of females”]; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237962 [“In [DK] a couple could marry only with the approval of cooperative elders”].
- 3290 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 15.19.38-15.21.38 [referring to a passage from the Family Building policy document: “The content [...] is consistent with what I experienced [...] We had to respect the opinion of the collective”]. See also **D114/36.1.59** Family Building policy document, EN 00417943, KH 00407101, FR 00593930.
- 3291 **D114/297.1.8** Moeng Veth WRI, A164 [Division 117: “Sometimes when a man proposed marriage to Woman ‘A’, at the actual ceremony, he had to marry Woman ‘D’ [...] Then they could not reject that person”]; **D234/2.1.74** Muol Eng WRI, A223-225 [Military forced to marry a woman he did not know after his regiment commander refused him to marry the woman he loved because she was related to a Lon Nol soldier]; **D234/2.1.34** Katrina Natale, *I Could Feel My Soul Flying Away From My Body*, EN 00992156.
- 3292 **D114/297.1.25** Om Yoeurn, T. 23 Aug 2016, 09.05.27-09.07.54 [“Om Phon [...] 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”]; **D11/54/3.1** Preap Sokhoeurn, T. 24 Oct 2016, 09.24.53-09.28.08 [“there were cases where people worked together and loved each other and proposed to Angkar, but the Angkar turned the proposals down [...] men were forced to marry women that they did not love and the women did not like the men”].
- 3293 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.12.51-14.14.14 [“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”]; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 14.32.49-14.37.09 [“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”]; **D234/2.1.74** Moul Eng WRI, A209-210 [“Q: When you were ordered to wed did you or any other people dare to oppose it? A209: 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? A210: Yes, I did. I would risk being killed if I disrespected *Angkar*’s decision”]; **D114/75** Sin Sisophal WRI, A10, 14 [“the cooperative deputy chief approached me with two militiamen who were armed with AK-47 rifles. They pointed the guns at me and forced me to get married [...] A14: At that time it was in the evening at 2000 I was pointed the rifles and walked from my house to a rice field. I was then told that *Angkar* wanted me to get married. I was quiet and thinking for a few minutes. Then the militiamen explained to me that I was so lucky that *Angkar* assigned me to get married because *Angkar* had seen that I had been loyal to it. Then, I did not respond. At that time, they continued asking me whether I agreed to get married. But I still did not answer. Then, they said if I believed in *Angkar*, I would meet my parents and siblings. But if I did not believe in *Angkar*, I would not know what would happen”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence during the Khmer Rouge Regime*, 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”], 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’”]; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992246 [“Of the 42 respondents who initially refused to marry, 35 were threatened or punished in some way”], 00992280 [“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”], 00992282 [“Two women described being forced to marry at gunpoint and their resulting fear”]; **D310/1.1.4** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488 [“Those charged with organizing the marriages met refusals with threats of violence or actual violence”].
- 3294 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.16.57-14.18.16 [“I heard many stories of the punishment of refusal to the marriage [...] She was only 15 years old and she refused to marry and she was sent to the reeducation camp for three months [...] one woman in Siem Reap [...] told me she was sent to the

- reeducation camp”]; **D114/297.1.24** Moeng Vet, T. 27 Jul 2016, 10.08.23-10.12.15; **D114/34** Nap Somaly WRI, A141, 157 [“There was a beautiful girl [...] 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 [...] A157: They took her to a re-education place [...] for the people who committed moral offences”]; **D4.1.818** Nut Nouv WRI, A106; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, 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”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488 [“threats of violence or actual violence, including beatings, hard labour and even death”].
- 3295 **D114/34** Nap Somaly WRI, A141 [“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”]; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992281 [“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”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421892 [“Objection to an order to marriage given by the *Angkar* might have resulted in torture or death”], 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”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, 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”].
- 3296 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.12.51 [women were raped for refusing to marry: “Q: Did you hear any accounts or you referred to some in your reports of women that were raped because they refused to marry? [...] A: I heard that story. And I also heard a woman who had to witness another woman’s rape because she refused to marry”]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 11.18.38-11.24.42 [Siem Reap, late 1975, two to three months after her first husband was sent for reeducation (executed): “When I arrived there, I was told that in two days times, I would remarry [...] they planned to mistreat me before the wedding day. There were five of them and they planned to rape me, one by one. And I was raped and the last one told me to leave after they committed the act”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421893 [“My husband was a French soldier. They hanged my husband. Five months later 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”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449489 [“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 [...] 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? [...] I was so shocked that I decided to marry my husband”].
- 3297 **D114/297.1.25** Om Yoeurn, T. 23 Aug 2016, 09.14.42-09.18.26 [forcibly married in early 1978 in Chamkar Leu District; she did not refuse because people who protested or refused disappeared. Her own cousin was killed for refusing to marry a handicapped person]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 11.16.02-11.24.42 [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 Thol and Comrade In. They refused to get married and they would rather die”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 10.04.26-10.06.50 [“if someone protested about that, the person would disappear”]; **D114/34** Nap Somaly WRI, A155, 157 [“She preferred to die rather than marry a disabled man. [...] A157: They took her to a re-education place about eight kilometres from the village. It was a re-education place for the people who committed moral offences”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, 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’”, 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”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421892.
- 3298 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 14.14.05 [“there were no traditional procession of prayer or blessing [...] 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 [...] It lasted for less than an hour”]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 14.23.08-14.27.47; **D234/2.1.71** Pech Chim, T. 23 Apr 2015, 09.21.09; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.49.55; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.16.23; **D234/2.1.126** Om Yoeurn, T. 22 Aug 2016, 15.50.40; **D11/75** Chech Sopha WRI, A112; **D4.1.927** Heng Lai Heang WRI, A26; **D114/64** Em Sarin WRI, A209; **D4.1.453** Yuok Iem WRI, EN 00272702; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992282-83.
- 3299 **D114/297.1.36** Nget Chat, T. 25 Oct 2016, 09.12.35 [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”]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.47.50 [“There was no [participation] from the family members, relatives, or friends, but only those who were marrying because it was [a] mass ceremony”]; **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.54.56, 13.59.18; **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 11.22.20-11.24.12; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 13.38.11; **D11/54/3.1** Preap Sokhoeurn, T. 24 Oct 2016, 09.38.02; **D234/2.1.126** Om Yoeurn, T. 22 Aug 2016, 15.50.40-15.52.38; **D234/2.1.137** Preap Sokhoeurn WRI, A22; **D10.1.28** Saom Mon WRI, EN 00163771; **D114/75** Sin Sisophal WRI, A43; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992282 [“In every case except one, family did not attend. Many respondents found this very upsetting”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449488.
- 3300 **D234/2.1.132** Mom Vun, T. 16 Sep 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.”]; **D114/297.1.28** Chea Dieb, T. 30 Aug 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”].
- 3301 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.47.50 [“The wedding ceremony was very different from the weddings before the Khmer Rouge. To put it [simply], it was just like a meeting”]; **D234/2.1.71** Pech Chim, T. 23 Apr 2015, 09.21.09; **D4.1.817** Bun Thien WRI, EN 00384409 [in Takeo Province, Southwest Zone: wedding ceremonies were “held in the same manner as holding a meeting”]; **D114/129** Oem Hun WRI, A92 [“It was nothing substantial. We sat like in a meeting”]; **D4.1.462** Sum Alat WRI, EN 00242124; **D4.1.453** Yuok Iem WRI, EN 00272702; **D4.1.454** Koy Mon WRI, EN 00272719; **D114/123** Chuon Thy WRI, A21, 37 [Division I: “They just called the couples to hold hands, and then the wedding was finished”]; **D114/297.1.8** Moeng Veth WRI, A75; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992282.
- 3302 **D114/32** Meas Saran WRI, A10 [“[the] regime used the word ‘to make resolutions’ instead of ‘marry’”]; **D4.1.812** Phneou Yav WRI, A32; **D114/36.1.63** Kheu Hun WRI, EN 00272626; **D114/33** Hem Ang WRI, A181 [“Q: Did the new couples have to exchange vows in front of *Angkar*? A181: Yes, *Angkar*”].
- 3303 **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.09.26 [“We were in a line and the women were in a separate line, then they played a game similar to hide-and-seek. They actually switched off the light and that we had to feel a woman [...] on another line”]; **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 10.45.36 [“we were made to sit separately, male and female, and then we were called to hold each other’s hands and voice our commitment or resolution”]; **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.59.18 [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”]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.06.25-14.08.09 [“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”]; **D114/297.1.35** Pen Sochan, T. 12 Oct 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”]; **D11/75** Chech

- Sopha WRI, A98-100; **D234/2.1.137** Preap Sokhoeurn WRI, A28; **D4.1.810** Seng Soeun WRI, A74; **D234/2.1.74** Muol Eng WRI, A208; **D4.1.1003** Bridgette Toy-Cronin, *'I Want to Tell You'*, EN 00449488.
- 3304 **D114/297.1.28** Chea Dieb, T. 30 Aug 2016, 13.59.18 ["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*, to love one another and to strive to work hard to build the country"]; **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 10.45.36 ["we were called to [...] voice our commitment or resolution. We had to make our resolution before the Party and *Angkar* by holding our hands"]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 13.38.11-13.40.24 ["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"]; **D234/2.1.129** Nop Ngim WRI, A68; **D114/87** Chhouk Rin WRI, A84; **D4.1.817** Bun Thien WRI, EN 00384409; **D114/36.1.64** Seng Ol WRI, A34; **D4.1.806** Cheang Sreimom WRI, A8; **D114/75** Sin Sisopha WRI, A44; **D4.1.461** Ouk Savuth WRI, EN 00272135; **D4.1.423** Dy Piech WRI, EN 00275426; **D234/2.1.74** Muol Eng WRI, A208; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992282; **D4.1.1003** Bridgette Toy-Cronin, *'I Want to Tell You'*, EN 00449488.
- 3305 See, e.g., **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 13.38.11 ["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*"]; **D11/54/3.1** Kul Nem, T. 24 Oct 2016, 15.11.34 ["They said that if we did not produce children for *Angkar*, then we were against the law"]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.49.44 ["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"]; **D234/2.1.128** Nop Ngim, T. 5 Sep 2016, 11.07.54-11.11.18 ["[Ta Mok] organized the marriage for us [...] He advised us to go along well together [...] It was on the day of the ceremony"]; **D234/2.1.137** Preap Sokhoeurn WRI, A31 ["Before starting the wedding, Sau announced to the meeting participants in general, '*Angkar* needs more forces,' so they needed young men and women to get married to produce more children to add to the revolutionary forces"]; **D114/91** Seng Ol WRI, A70 ["However, during the wedding ceremonies, they stated that the couples who lived together after their marriage had to love and get along well"]; **D114/64** Em Sarin WRI, A205-206.
- 3306 See **VIII.H.3. Implementation of the National Forced Marriage Policy – The Ceremony**, para. 818. **D234/2.1.88** Prak Yut, T. 19 Jan 2016, 13.41.08 ["After the marriage, it is common sense that they had to consummate their marriage. Then, if not, what was the purpose of marriage?"].
- 3307 **D234/2.1.75** Khin Vat, T. 29 Jul 2015, 15.31.16-15.33.32 [Kampong Chhnang airport: "After I got married with my husband and after I spent a week there, I returned. And I had to return because that was the instruction"]; **D114/297.1.24** Moeng Vet, T. 27 Jul 2016, 10.08.23 ["they were not allowed to live together. They had to return to their respective units"]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.51.55; **D234/2.1.137** Preap Sokhoeurn WRI, A36; **D4.1.461** Ouk Savuth WRI, EN 00272135; **D234/2.1.74** Muol Eng WRI, A212; **D114/34** Nap Somaly WRI, A142; **D10.1.28** Saom Mon WRI, EN 00163771.
- 3308 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.53.00-13.54.26 ["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 ["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"]; **D11/54/3.1** Nget Chat, T. 24 Oct 2016, 16.03.42-16.06.35 ["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"]; **D114/297.1.33** Peggy Le Vine, T. 10 Oct 2016, 15.56.43-15.57.34 ["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"].
- 3309 **D11/61/3.1** Ry Pov, T. 12 Feb 2015, 13.52.54 [Tram Kak District: "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”]; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.21.20; **D234/2.1.127** Chea Dieb, T. 31 Aug 2016, 10.02.40-10.07.42; **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.53.53 [“my father-in-law was forced to marry another woman [...] he was monitored by the militia whether he consummated with his wife or whether they said anything else while they were together. And as a result [...] my father-in-law was taken away and killed”]; **D114/297.1.35** Pen Sochan, T. 12 Oct 2016, 14.39.32-14.41.30 [“[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”]; **D234/2.1.132** Mom Vun, T. 16 Sep 2016, 13.43.25-13.47.43 [“the militia people could hear us, then three of them got into the house and threatened us to sleep with one another”]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.26.47-14.28.40 [“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”]; **D11/255/3** Meas Layhuor, T. 26 May 2015, 09.46.36; **D4.1.927** Heng Lai Heang WRI, A31-32; **D234/2.1.74** Muol Eng WRI, A212; **D11/231/4** Sum Chanthol WRI, A106; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992246 [“Almost all the ethnic minority respondents forced to be married reported being watched by the Khmer Rouge at night to ensure consummation”], 00992283 [“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”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449490.

3310 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.23.15-14.24.57 [“Not all but some explicitly said that they didn’t want to and they had to for their survival”], 14.36.55-18.38.06 [“Q: [...] were they able to exercise full and free consent in terms of having sexual intercourse with their partners [...]? A: No, I don’t think so [...] 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”]; **D114/134** Suon Sann WRI, A146-147, 151 [“Q: Did you sleep together other? A146: Not until four nights later because I was too afraid. Q: Of what were you afraid? A147: I do not know. I was trembling because I was afraid [...] Q: You had said that they came to monitor. What do you mean? A151: They monitored us because they were afraid that we would not get along well or would argue”]; **D4.1.812** Phneou Yav WRI, A32 [Tram Kak District: “no couple dared to not get on well because they were afraid of death. 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”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421895-96.

3311 **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 14.24.57-14.28.40 [“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”]; **D114/297.1.35** Pen Sochan, T. 12 Oct 2016, 14.22.27-14.24.17 [“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 [“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 [“[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”]; **D234/2.1.137** Preap Sokhoeurn WRI, A43-44 [“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 [...] After the rape, he apologised me by telling me that he followed *Angkar*’s direction [...] A44: [describing the rape in detail]; **D114/32** Meas Saran WRI, A49, A54, 56 [“Q: How did they know that you avoided having sexual intercourse with your husband? A49: My husband told them [...] A54: I stopped refusing because someone told me that we had already made our resolutions, and we must fulfil our vows [...] A56: If I refused to sleep with him, he would have forced me”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421892 [one female respondent stated: “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. They said if I do not agree they will kill me [...] So I had to agree because I had no choice”];

- D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992246 [“Some husbands also forced their new wives to have sex. Forced sex in forced marriages was very distressing for male and female victims alike”]; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449495 [“As one of the primary purposes of these marriages was to ensure reproduction, forced sex was a necessary part of the marriage [...] In some cases the policy of forced marriage was used to legitimate rape”].
- 3312 **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.25.07-15.26.42 [“they warned if I did not consummate and if they find out, then we would be smashed”]; **D234/2.1.96** In Yoeung, T. 3 Feb 2016, 15.18.05-15.19.40 [“they told us that we needed to consummate the marriage. If we refuse to consummate the marriage, we would be taken to the commune office to make sure that we would consummate there [...] if we refused to follow the instruction we would be killed”]; **D234/2.1.88** Prak Yut, T. 19 Jan 2016, 13.47.30-13.49.36 [“For couples who did not consummate their marriage [...] they would be brought to the district to be educated so that they could understand each other and because they were already married”]; **D11/54/3.1** Preap Sokhoeurn, T. 24 Oct 2016, 09.26.45-09.28.08 [“Oeun, who was arranged to marry Mean. Mean had a large build, fat and was not fit [...] Oeun was handsome. Mean loved the man she was paired with, but the man did not love her and from what Mean said, when she was asked to sleep together, he would sleep in a hammock while she slept in the hall so they did not actually consummate their marriage. And the news reach *Angkar*, and *Angkar* called them for education”]; **D114/297.1.35** Pen Sochan, T. 12 Oct 2016, 14.30.45-14.32.06 [after the Civil Party refused to consummate her forced marriage in Bakan District: “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 [“I remember that from the words of Comrade Om that if I continued to refuse, I would die”]; **D4.1.812** Phneou Yav WRI, A32 [“threatened that they would be taken to [...] Krang Ta Chan”]; **D234/2.1.137** Preap Sokhoeurn WRI, A36; **D114/36.1.64** Seng Ol WRI, A40; **D11/75** Chech Sopha WRI, A125.
- 3313 **D11/54/3.1** Preap Sokhoeurn, T. 24 Oct 2016, 09.21.13-09.26.08 [“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”]; **D234/2.1.137** Preap Sokhoeurn WRI, A27, 34 [“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”]; **D4.1.808** Duk Suo WRI, A93; **D11/75** Chech Sopha WRI, A125 [“They punished them by sending the men for re-education, but those men never returned”].
- 3314 **D114/297.1.30** Kasumi Nakagawa, T. 14 Sep 2016, 09.35.18-09.38.43 [“The overall goal of the Khmer Rouge, to my understanding, was to achieve the revolution [...] engage in the hard labour [...] Because of this strategy [...] the husband and wife were separated”]; **D114/297.1.29** Kasumi Nakagawa, T. 13 Sep 2016, 13.53.00-13.54.26 [“[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”]; **D234/2.1.75** Khin Vat, T. 29 July 2015, 15.31.16-15.33.32 [“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”]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.51.27; **D114/297.1.24** Moeng Vet, T. 27 Jul 2016, 10.08.23; **D114/32** Meas Saran WRI, A43; **D4.1.461** Ouk Savuth WRI, EN 00272135; **D114/34** Nap Somaly WRI, A142; **D10.1.28** Saom Mon WRI, EN 00163771; **D54/74.1.20** Philip Short, *Pol Pot: The History of a Nightmare*, EN 00396533-34, FR 00639883; **D114/297.1.16** Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, EN 00992283; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237962.
- 3315 **D234/2.1.136** Preap Sokhoeurn, T. 20 Oct 2016, 15.06.30-15.08.15 [“he came to visit me every month. I almost forgot his face when he returns for his next visit”], 15.10.15 [“we could meet three nights per month and if we did more than that we would be disciplined”]; **D114/297.1.36** Say Naroeun, T. 25 Oct 2016, 10.51.27-10.53.07 [“like once in every one week, we were allowed to meet each other again”]; **D114/297.1.25** Sou Sotheavy, T. 23 Aug 2016, 15.28.06-15.21.20 [“every 10 days”]; **D234/2.1.87** You Vann, T. 18 Jan 2016, 13.38.33; **D234/2.1.137** Preap Sokhoeurn WRI, A34; **D4.1.522** Sou Soeun WRI, EN 00360119 [“We lived separately. He lived in Kampong Cham and I lived in Chamkar Leu. We were not allowed to live together. However, I could visit him and stayed with him for one or two weeks per month. Sometimes I visited him once every two or three months when he was very busy”]; **D4.1.927** Heng Lai

- Heang WRI, A33; **D114/33** Hem Ang WRI, A163; **D114/36.1.63** Kheu Hun WRI, EN 00272626; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449489.
- 3316 **D114/66** Chet Bunna WRI, A29 ["There was very small number of married soldiers at that time"].
- 3317 **D114/83** Sok Neang WRI, A6, 13-14, 19, 24 [stating that there were 4 companies (31, 32, 33, and 35) in the female Battalion 167]; **D54/23** Pak Sok WRI, A2-3; **D2/9** Say Born WRI, A26; **D2/10** Say Born WRI, A46; **D54/17** Say Born WRI, A13; **D22.2.4** Division 164 Committee Statistical Report, 30 Jul 1976, EN 00950655, KH 00160118 [Female Battalion 167: 391]; **D22.2.5** Division 164 Statistical Report, 28 Aug 1976, EN 00950657, KH 00160123 [Female Battalion 167: 391]; **D1.3.5.3** Division 164 Statistical Report by Meas Muth, 27 Oct 1976 [Female Battalion 167: 434]; **D22.2.6** Division 164 Statistical Report by Meas Muth, 27 Nov 1976, EN 00575531, KH 00160071 [Female Battalion 167: 429]. *See also* para. 258.
- 3318 **D114/32** Meas Saran WRI, A29 ["Q: Did you know how they matched the couples? A29: [...] The second category consisted of women from the cooperative who had been transported to the islands for the soldiers to choose a wife and had been able to get to know each other"].
- 3319 **D114/36.1.64** Seng Ol WRI, A20-22, 27 [Nheng Nhang commune female cadre, District 105, Southwest Zone: "In 1977 or 1978, the army came to request women from my unit to be married in Kampong Saom. Proposal letters were sent from the army to my commune, and the Commune Com told me to select women to go to Kampong Saom, saying that the army had requested them. At that time, neither I nor the women selected to go knew that they were being taken away to marry handicapped soldiers [...] I selected about three to five women from my unit. The selections were not made only in my unit; various other communes did the same thing [...] A21: I do remember one, Ken [...] A22: I don't know if those women volunteered or not; but no one of those women refused [...] A27: I selected women of mature character who were 20 years old or older. Then I sent these women to the Commune Office"]; **D114/91** Seng Ol WRI, A173, 178, 205-208, 223, 244 ["In 1976 or 1977, they had me select four or five young women to marry soldiers in Kampong Som [...] The truth was that they volunteered to go. I took those young women to them, and they took them to Kampong Som by car. Actually, I do not remember how many of them, maybe ten [...] A178: [the commune chief Si] did not tell me whom exactly those young women would marry. He just said that those young women would marry soldiers [...] Q: How old were they? A205: They were 18, 19, 20 years and older. Q: When selecting those young women, what did you tell them? A206: I told them that *Angkar* selected them to work at Kampong Som. Q: When you told those women that *Angkar* had selected them to work in Kampong Som, what did those young women say? A207: They volunteered to go. They did not resist. Q: Did they tell those young women that they would get married? A208: I did not tell them [...] Q: When you selected those young women, did you know that those young women would definitely marry the handicapped soldiers? A223: I was not certain. I just thought that they might have married some of the disabled people [...] Q: During the previous interview, you stated that the young women were selected not only from your commune but others also. Is that correct? A244: Yes. There were Kus, Samraong, and Srae Ronoung Commune. I assumed that"]; **D114/117** Nav Sokhan alias Ken WRI, A56-65 [explaining that in September 1977, she was transferred from Nhaeng Nhang Commune, Tram Kak District together with a group of 40 young women, aged 17 to 30 years, to Kampong Som to work at Chamkar Daung Cheng Heng Farm], A236, 248, 250, 256, 258, 262, 275, 292 ["Q: Did you agree to go to Kampong Som in order to get married? A236: They first told me to work in a factory [...] A248: The truth is that I got married during the Khmer Rouge [...] A250: During the Khmer Rouge regime, my first husband's name was Mot [...] Q: After arriving in Kampong Som, how many days afterwards did they order you to get married? A256: I arrived there about a month before [...] Q: Who ordered you to get married? A258: Sick (female) did [...] A262: They told me to get married but I refused. She told me that if I refused, they would take me to be detained in a prison. Therefore, I agreed to get married [...] A275: During the wedding, there were seven women including me [...] A292: [Ta Soeun] asked women from Chamkar Daung Plantation to get married in Stung Hav with the men who sat in front of them"]; **D114/95** Yoem Sroeng WRI, A264-265 ["Q: Where did the women who married the cadres come from? A264: Those women were from various units, such as Srae Ambel, the women's units, or other places. Q: Could those women choose the person they wanted to marry? A265: No, they could not choose"]; **D114/304** Vun Bunna WRI, A66-71, 82, 86-88, 91-98, 100, 107-112, 114-116 [Prey Nob District (West Zone) female cadre, cousin of Seng (Tim Seng), Deputy Commander of Division 164, who was transferred from her place to Kampong Som in order to be forcibly married by Seng to Liet Lan alias Nam Lan, Battalion 143 commander in Regiment 140. The marriage ceremony took place in October or November 1978 in Tim Seng's office and was chaired by Seng in the presence of Ta Nhan. The witness did not want to marry but had no choice as her cousin wanted her to marry. They consummated the marriage on the first night].

- 3320 The witness who attended that training session, Liet Lan, was away for 20 months for a technical training in China that started in early 1976 until late 1978 (however he likely have miscalculated and effectively have returned in late 1977 instead, as he claimed to have attended several trimestrial or semestrial study sessions afterwards): **D54/28** Liet Lan (Nam Lan) WRI, A17; **D54/29** Liet Lan (Nam Lan) WRI, A3; **D114/103** Liet Lan (Nam Lan) WRI, A1, 13, 51, 62 [left in 1976 for 20 months and returned toward the end of 1978], A125-126 ["Q: After your return from China, did you often meet with Meas Muth? A125: I met him frequently during study sessions. Q: How often were study sessions held? A126: They were held every trimester and semester, and sometimes, they were held on short notice, but not regularly"].
- 3321 **D114/103** Liet Lan (Nam Lan) WRI, A204. *See also* **D114/103** Liet Lan (Nam Lan) WRI, A209 ["I think that the plan was not Ta Muth's alone; it was the upper echelon's, because such marriages also took place in the countryside"].
- 3322 **D114/103** Liet Lan (Nam Lan) WRI, A206. *See also* **D114/103** Liet Lan (Nam Lan) WRI, A203 ["Q: You said, 'at the time they forced people to marry.' Do you refer to the Democratic Kampuchea regime, or what specific period? A203: Beginning in late 1975, specifically during the Democratic Kampuchea regime. There were two reasons. First, they wanted to increase the population. Second, they wanted to satisfy those who had requested to marry a long time before that. Many combatants had requested to marry to no avail"].
- 3323 **D114/103** Liet Lan (Nam Lan) WRI, A161-162, 169, 171-172, 174, 176, 185-186, 188-189, 205 ["I did not know that they had arranged my marriage. I had not intended to marry. Q: Who arranged your marriage? A162: Nhan [...] A169: They brought me to the wedding venue and had me come forward to make a vow, but I refused [...] Q: At that time, did you object to the marriage? A171: Yes, I did. I said that I was angry because I had not been informed earlier, and I refused to come forward to make the vow. Q: How about your wife? How was she at that time? A172: She also objected, but Ta Nhan asked if she followed the Party or followed someone else [...] A174: the marriage was arranged by Nhan. I think that the Division Chairman knew this [...] A176: Ta Nhan was the highest-ranking cadre in attendance [...] Q: When you and your would-be wife refused to marry, what happened? A185: They asked me if I followed the Party or followed someone else. I replied that I never betrayed the Party, but the Party had betrayed me. Q: What did your wife say? A186: She said nothing. Moreover, we did not come forward to make our vow [...] Q: At that time, despite you and your wife's objections, did they still announce that you had married? A188: Yes. Q: When Nhan announced that you had married your wife, what authority did he rely on to do so-the authority of the Party, *Angkar*, or God? A189: The Party [...] Q: But why did they require those who had not requested to marry such as you to marry? A205: I think that they wanted me to get married first so the others would follow"]; **D54/29** Liet Lan (Nam Lan) WRI, A3, 6 ["I was not happy with the event as I had not known anything about it. Ta Nhan asked me where I was from. I told him I had never betrayed the Party, but the Party betrayed me. Then the bride's parents and the high-ranking cadres declared we were husband and wife [...] A6: I had no choice at all. I had to accept the arranged marriage"].
- 3324 **D234/2.1.141** Ma Chhoeun (Mak Chhoeun), T. 12 Dec 2016, 15.58.05-16.05.32.
- 3325 **D59/1/1.7a** Mak Chhoeun DC-Cam Statement, EN 00969949 ["Q: Who gave instruction for you to get married? A: Ta Mut. Q: Didn't Ta Mut attend the wedding? A: He was busy going somewhere so he did not attend it"].
- 3326 **D114/32** Meas Saran WRI, A21, 28 [forcibly married together with 70 couples to a Division 3/164 soldier: "After Ta Dim finished his speech, the two or three couples at the front stood, held each other's hands, and made their resolutions [...] A28: Ta Dim was the one who told all the couples to repeat 'resolve' after him"].
- 3327 Vun Bunna claimed that her marriage to Liet Lan was organised by her cousin (Tim) Seng and Nhan, while Liet Lan remembered that only Nhan organised it: **D114/304** Vun Bunna WRI, A68-70, 86, 96, 98, 100, 107, 109, 112-113 ["Because my older cousin [...] transferred me to live there [...] A69: His name was Seng [...] A70: It seemed that he worked in the division [164] [...] A86: I married because I was assigned to do so. My cousin wanted me to marry, so I followed him. He was my cousin, whose name was Seng. He assigned me to marry [...] A96: I did not want to marry because I was very young. But because my cousin arranged the wedding for me, I did not reject [...] A98: [...] it was my cousin who arranged my wedding [...] A100: [...] in Kampong Som. The wedding was held at his [cousin] office [...] A107: Ta Nhan also joined my wedding, but I did not know what his position was [...] Q: On your wedding day, who presided over the ceremony and told you to hold hands that you paid attention to? A109: It was a long time ago. I was not sure if it was my cousin or someone else [...] A112: Leat Lan and I stayed at a nearby house, which belonged to my cousin. Q: Who told you to stay in that house? A113: It was my cousin because it was his house"]; **D54/29** Liet Lan (Nam Lan) WRI, A3-4, 6 ["a radio operator contacted me telling me Meas Mut wanted to see me at his home.

When I arrived at his home near Kampong Som market, I saw that [some] high ranking cadres had already gathered there. Initially, I had no idea what was going on there. Soon, Ta Nhan called a bride to come out, and then he declared a wedding ceremony [...]. A4: I was married in 1978 [...]. Two months after my marriage, the Vietnamese arrived in Kampong Som [...]. A6: I had no choice at all. I had to accept the arranged marriage"; **D114/103** Liet Lan (Nam Lan) WRI, A162, 171-172, 174, 176 ["Q: Who arranged your marriage? A162: Nhan [...]. Q: At that time, did you object to the marriage? A171: Yes, I did. I said that I was angry because I had not been informed earlier, and I refused to come forward to make the vow. Q: How about your wife? How was she at that time? A172: She also objected, but Ta Nhan asked if she followed the Party or followed someone else [...]. A174: the marriage was arranged by Nhan. I think that the Division Chairman knew this [...]. A176: Ta Nhan was the highest-ranking cadre in attendance"]; **D114/113** Koem Men WRI, A226 [Battalion 623 commander: "She served as a medical staff in Kampong Som, and the upper level arranged the marriage for us. I did not know her before the wedding. Ta Nhan who replaced Ta Chhan arranged the marriage for us. However we divorced"]; **D114/95** Yoem Sroeng WRI, A248, 252-253 ["Were weddings organized by committee? A248: Yes. The [regimental] committee was made up of chairmen, for instance Han, Chhav and so on [...]. A252: Some couples were arranged to get married, and some couples married voluntarily. Q: Who arranged the weddings? A253: The people who arranged the wedding were the leaders such as Meas Muth, Han, and so on"]; **D114/78** Svay Sameth WRI, A29 ["Q: Who presided over the wedding? A29: Nhan, along with two other people, presided over my wedding. An was one of them"]; **D114/32** Meas Saran WRI, A26 [mentioning the presence of Han at her collective wedding in addition to Dim].

3328 Although Meas Muth was not physically present at his wedding ceremony, Mak Chhoeun explained that Meas Muth ordered him to marry and that Meas Muth would chair such ceremonies at the division level: **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.58.05-16.01.00 ["Q: Who presided over the wedding and whether there was any instruction given to the couples on the wedding day? A: Yes, there were. The respective chiefs presided over the wedding ceremony; for example, at the division level, there were Ta Mut and Dim, or sometime, people from the regiment level"]. See also **D114/95** Yoem Sroeng WRI, A252-254 ["Some couples were arranged to get married, and some couples married voluntarily. Q: Who arranged the weddings? A253: The people who arranged the wedding were the leaders such as Meas Muth, Han, and so on. Q: Why did you say that Meas Muth arranged people to get married? A254: Because he was commander"]; **D114/103** Liet Lan (Nam Lan) WRI, A174 ["the marriage was arranged by Nhan. I think that the Division Charman knew this"]; **D59/1/1.7a** Mak Chhoeun DC-Cam Statement, EN 00969949 ["Who gave instruction for you to get married? Ta Mut"].

3329 **D114/95** Yoem Sroeng WRI, A246, 251 ["Yes, they celebrated a wedding once a month [...]. A251: Sometimes, a wedding was celebrated once every two or three months"]; **D114/103** Liet Lan (Nam Lan) WRI, A203, 211-212 ["Q: You said, 'at the time they forced people to marry.' Do you refer to the Democratic Kampuchea regime, or what specific period? A203: Beginning in late 1975, specifically during the Democratic Kampuchea regime [...]. A211: Yes, I had a plan. My plan was to marry off all the members of my unit. I married off many of them. I married off two couples on one occasion. I did not organise a wedding involving four couples because I had heard that some couples had taken their spouses erroneously [...]. A212: I requested permission [to the upper echelon] to marry them off before their weddings"]; **D114/83** Sok Neang WRI, A45, 49 ["I know a lot about those weddings because they often held them [...]. A49: Honestly speaking, all the women in my unit married between 1975 and 1979"].

3330 **D114/94** Sam Vuthy WRI, A105 ["I did not get married because the Vietnamese fought their way into our country. They told us to look at each other's faces in the daytime, and they told us that we would be asked to stand up and exchange vows in the evening. But that evening, there was chaos and the Vietnamese soldiers fought their way in. That was in late 1978]; **D114/53** Uk Sok WRI, A180-181, 284 ["Q: When did you get married? A180: In 1978. Q: What date? A181: Three months before 7 January 1979, perhaps in October [...]. A284: This ceremony was held at the Kang Keng area"].

3331 Example of civilian wedding organised: **D114/94** Sam Vuthy WRI, A104-112 [explaining how in late 1978 six civilian men from Put Thoeung cooperative near Bet Trang were meant to marry women from a mobile unit planting vegetables but how, due to the arrival that same evening of the Vietnamese, the ceremony did not take place. He was supposed to marry a female cadre named Pheap]; **D114/47** Tae Ry WRI, A107, 111.

3332 **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.55.38-15.58.05 ["There were many, around 30 couples or even more than that. There were probably 40 couples [...] soldiers and cadres and youths"]; **D114/103** Liet Lan (Nam Lan) WRI, A211; **D114/32** Meas Saran WRI, A4 ["71 couples"]; **D114/47** Tae Ry WRI, A87 ["17

- couples”]; **D22.1.3** Sam Bung Leng CPA, EN 00477162 [Civil Party was a demobilised soldier from Division 3/164: “There were 50 couples married at the same time at Kang Keng airport in Kampong Saom Province”]; **D114/146** Uy Nhoek (Uy Nhoek) WRI, A42 [“10, 20 or 30 couples in one wedding”]; **D114/66** Chet Bunna WRI, A29 [“10 couples”]; **D114/113** Koem Men WRI, A232 [“3 couples [...] 10 couples”]; **D114/95** Yoem Sroeung WRI, A250 [sometimes 1, 2, 3, 5 or 7 couples]; **D114/117** Nav Sokhan alias Ken WRI, A271 [“7 couples”]; **D114/53** Uk Sok WRI, A268 [“5 couples”]; **D114/78** Svay Sameth WRI, A30 [“Only three couples were arranged to get married at the logistics office”]; **D114/139** Nguon Lay alias Y WRI, A135 [“five couples”]; **D54/120** Prom Kem WRI, A3 [“group or communal marriages of ten and sometimes fifteen couples”].
- 3333 **D114/103** Liet Lan (Nam Lan) WRI, A210 [“I heard military personnel say that couples took their spouses were mistakenly matched because many couples were married simultaneously”]; **D54/29** Liet Lan (Nam Lan) WRI, A7 [“I also heard that some new couples even mistook their respective partners”].
- 3334 **D114/83** Sok Neang WRI, A45, 49-52 [former Battalion 167 female medic: “I know a lot about those weddings because they often held them [...] A49: Honestly speaking, all the women in my unit married between 1975 and 1979. The women kept leaving my company when they got pregnant, or when they were about to give birth [...] A50: Their average age was under 20, or above 20 but under 30. Q: How old were the youngest women in your company? A51: They were 17 years old. Q: What about the women of other companies? A52: They married like those in my company”]; **D114/113** Koem Men WRI, A233 [“Q: Where did the brides come from? A233: They were division medical staff. Sometimes, they were female medical staff of female soldiers”]; **D114/78** Svay Sameth WRI, A33, 35 [“She was from Takeo Province [...] A35: She was from the transportation unit of Division 164 [...] assigned to do farming”]; **D114/103** Liet Lan (Nam Lan) WRI, A214 [“Some women were selected from the Transport Unit or the Medical Unit”]; **D59/1/1.7a** Mak Chhoeun DC-Cam Statement, EN 00969946 [explains that he married in 1976 a female soldier from the female battalion commander chaired by Neang].
- 3335 **D114/83** Sok Neang WRI, A45 [explaining that generally, a woman dared not to refuse her arranged marriage by the upper echelon but that she was once called to marry but strongly refused and that nothing was done to her].
- 3336 **D114/83** Sok Neang WRI, A45 [“Generally, a woman dared not refuse her arranged marriage. Women didn’t speak much. They just agreed to the marriage [...] Generally, the upper echelon decided who would marry whom, not the would-be couples. But in another case, men and women requested their chief to permit them to marry. I heard from other people that at other places, those who refused to marry would be taken to be killed immediately [...] Some people were told to marry and agreed to the marriage arrangement by their chief because they were old enough to marry, or they dared not refuse the arranged marriage”].
- 3337 See para. 821; **D114/113** Koem Men WRI, A233, 237 [“some soldiers were already engaged to women from their hometown, the unit assigned the soldiers to go and bring those women for marriage. They just reported it to the upper level. Then the upper level assigned people to go and bring those women for marriage [...] A237: Most people had reached the marriageable age. We were old enough. Our troops were between 24, 25 and 30 years old”].
- 3338 See also **D114/113** Koem Men WRI, A233 [“If some soldiers were already engaged to women from their hometown, the unit assigned the soldiers to go and bring those women for marriage. They just reported it to the upper level. Then the upper level assigned people to go and bring those women for marriage”].
- 3339 **D114/117** Nav Sokhan WRI, A257-266 [the women’s unit chief ordered the witness to get married. After her refusal, she was threatened and then she accepted to get married. She did not know her husband in advance and received his biography the day of the wedding]; **D114/103** Liet Lan (Nam Lan) WRI, A164, 168 [“Q: Who chose the bride for you? A164: To my knowledge, Nhan [...] Q: Did you have any prior knowledge of your marriage? A168: I learned of it on my wedding day”]; **D114/94** Sam Vuthy WRI, A106-107 [“Q: [...] Was that the first time that you had seen the face of the person to whom you would get married? A106: Yes [...] A107: I saw that woman on that very day”].
- 3340 **D114/95** Yoem Sroeung WRI, A265 [“Q: Could those women [from various units, such as Srae Ambel] choose the person they wanted to marry? A265: No, they could not choose”]; **D114/83** Sok Neang WRI, A46 [“The marriage was not decided by the would-be couples, but by the upper echelon”]; **D114/78** Svay Sameth WRI, A22 [“Each spouse did not know their partner before their marriage. This happened to me and other people too. In my case, I was told just a day prior that wedding that I would get married the following day. We did not know each other, nor did we date our lovers like people do in the present day. At that time we had

to get married as ordered”]; **D114/117** Nav Sokhan WRI, A264 [“They just said I couldn’t escape. I had to get married”].

3341 See **VIII.H.3. Implementation of the National Forced Marriage Policy - Marriages were Forced.**

3342 **D114/103** Liet Lan (Nam Lan) WRI, A168-169 [“Q: Did you have any prior knowledge of your marriage? A168: I learned of it on my wedding day [...] A169: Exactly on the wedding day. They brought me to the wedding venue and had me come forward to make a vow, but I refused”]; **D114/94** Sam Vuthy WRI, A105 [“They told us to look at each other’s faces in the daytime, and they told us that we would be asked to stand up and exchange vows in the evening”]; **D114/78** Svay Sameth WRI, A22 [“Each spouse did not know their partner before their marriage. This happened to me and other people too. In my case, I was told just a day prior that wedding that I would get married the following day”]; **D114/117** Nav Sokhan WRI, A265-266, 272 [“After I agreed to get married, they took me to the wedding place in Stung Hav, Kampong Som [...] Q: Did you know your husband in advance? A266: No, I did not. On the day of the wedding, they gave his biography to me [...] A272: They ordered us to stay there for a day prior to the wedding”].

3343 **D114/32** Meas Saran WRI, A2-3, 5-6, 10, 13 [“I was forced to get married to a soldier from Battalion 160, which was under Division 3 [...] A3: [...] I remember it was in late 1975 or early 1976 [...] A5: They arranged the marriage for us in the Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples [...] A6: I did not know about the marriage arrangement in advance. At that time, they invited me to join a meeting, and then they arranged the marriage for me [...] A10: When I arrived at the cinema, I was surprised because I saw many people there. I asked some of them what was going on, and they told me that they were arranging a marriage ceremony. I wanted to escape, but I could not because they were soldiers on both sides of the room [...] A13: I was surprised because the man and I had never met before”].

3344 **D114/103** Liet Lan (Nam Lan) WRI, A170 [“Nhan [...] contacted me and called me to come ashore. He sent a messenger to wait and pick me up by motorbike. I thought I was being summoned for work and brought along books. Actually, I was summoned to my marriage”]; **D114/91** Seng Ol WRI, A206, 208 [about the selection of young women to marry soldiers in Kampong Som: “Q: When selecting those young women, what did you tell them? A206: I told them that *Angkar* selected them to work at Kampong Som [...] Q: Did they tell those young women that they would get married? A208: I did not tell them”].

3345 **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.55.38-15.58.05 [explaining that out of 30 to 40 couples wed during the same ceremony, there were a few disabled soldiers (two or three)]; Uk Sok was forced to marry a disabled man who she first described as a soldier but later could not confirm whether he was a former soldier or not: **D114/53** Uk Sok WRI, A287-288, 293, 298-299 [Female worker from Smach Daeng Cooperative: “He was a disabled man and he told me that he used to be an art performer before [...] Q: Could you explain, before you said that your husband was a soldier? A288: He was a disabled man. After getting married, we lived together for three days [...] A293: They told me to get married. I had no choice. And I could not refuse as well [...] Q: Before getting married, did you know your husband? A298: No, I did not. Q: Why did you not dare to refuse? A299: I was afraid of being accused of disobeying the discipline. I did not know if they would take me out or not if I refused. But I did not dare to refuse”].

3346 **D114/113** Koem Men WRI, A233; **D114/95** Yoem Sroeung WRI, A253 [“if a cadre loved a woman, at that time, that cadre told his commander that he wanted that woman. The decision, however, was made by the Party”]; **D114/146** Uy Nhoek WRI, A40 [“First, we had to make our own biography and submit the biography together with our marriage request. We had to include the name of our unit [...] Then they would review my request and biography”]; **D114/103** Liet Lan (Nam Lan) WRI, A215 [“The procedure was that first, a male member of my unit requested to marry a woman, and then we went to ask the woman and the chairperson of her Women’s Unit”].

3347 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 15.06.45-15.08.32 [Sector 25: “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”]; **D54/43** Lon Seng WRI, A17 [“We did not even dare talk with a woman we wanted to marry to because we did not want to be accused of committing a moral offence”]; **D114/95** Yoem Sroeung WRI, A258 [“If they kept their feelings or relationships secretly, they would be accused of committing a moral offence. So they would be punished”]; **D114/32** Meas Saran WRI, A119 [“But when I joined the first meetings, they always reminded us that if men and women had a secret relationship before getting married, they would accuse them of committing moral offences and would punish them. So everyone was frightened and dared not make any transgressions”]; **D114/103** Liet Lan (Nam Lan) WRI, A229-230 [“Q: During that era, could people have premarital sex? A229: No. That was illegal. Q: When people had premarital sex and were caught,

what happened to them? A230: They were removed from the unit, but I did not know where they were taken. Many people, including cadres, were caught having extramarital sex”; **D114/36.1.31** Phat Duongchan WRI, EN 00375683 [“the person who had committed a moral offense, meaning that falling in love with each other, secretly loving each other [...] would have to be taken to be killed”]; **D4.1.817** Bun Thien WRI, EN 00384409 [“‘They’ talked about a one-husband-one-wife policy. Anyone committed moral offence would be smashed”]; **D4.1.740** Mour SETHA WRI, EN 00373370; **D4.1.1003** Bridgette Toy-Cronin, *I Want to Tell You*, EN 00449476 [“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 *Angkar* would punish or kill both a victim and a rapist if it discovered the rape”]; **D234/2.1.37** Kasumi Nakagawa, *Gender-Based Violence*, EN 00421891; **D1.3.17.1** Elizabeth Becker, *When the War was Over*, EN 00237929.

3348 **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.55.38-15.58.05 [“Before our marriage, we did not have any love relationship. We simply asked each other whether we agreed to marry each other, but we had no love relationship”].

3349 **D114/103** Liet Lan (Nam Lan) WRI, A212, 215, 218-219 [Battalion 143 commander: “Q: After the marriage, did you report how many couples had married to the upper echelon? A212: In fact, I requested permission to marry them off before their wedding [...] A215: first, a male member of my unit requested to marry a woman, and then we went to ask the woman and the chairperson of her Women’s Unit. Next we requested the upper echelon to marry them off [...] A218: If she agreed, I would send their names to the upper echelon to request permission for their marriage. Q: What would happen if she did not love the man? A219: We could arrange marriage for anyone, but if she disagreed, it meant that she would be a problem for the Party”].

3350 **D114/47** Tae Ry WRI, A116 [“Q: Who decided to match you with that man? A116: My unit chief”]; **D114/53** Uk Sok WRI, A294 [“Q: Who called you to get married? A294: The chairperson of my cooperative”].

3351 **D114/78** Svay Sameth WRI, A25 [“Q: Who were they? Who made the arrangements? A25: They were the people from the regiment. An assistant from the regiment told me that I had to get married”]; **D114/95** Yoem Sroeng WRI, A248 [“Q: Were weddings organized by committee? A248: Yes. The [regimental] committee was made up of chairman, for instance Han, Chhav and so on”].

3352 **D114/146** Uy Nhoek (Uy Nhik) WRI, A38-40 [“At that time, I made a request to get married but they did not permit me to get married [...] A39: I was at Ream in 1976, when I was in Division 164 [...] A40: First, we had to make our own biography and submit the biography together with our marriage request. We had to include the name of our unit. For example, I was in Division 164 and if I wanted to marry a woman in that sector or another unit, I had to submit my marriage request to her workplace. Then they would review my request and biography. If they had suspicions about my biography, they would not approve my marriage request”].

3353 **D114/103** Liet Lan (Nam Lan) WRI, A215 [“first, a male member of my unit requested to marry a woman, and then we went to ask the woman and the chairperson of her Women’s Unit. Next we requested the upper echelon to marry them off”].

3354 **D234/2.1.141** Mak Chhoeun, T. 12 Dec 2016, 15.54.02-15.55.38 [“In fact, I saw my wife long time ago, but I made some request through the regiment and the regiment chiefs agreed, and then the wedding took place”]; **D114/146** Uy Nhoek WRI, A40-41 [“If they had suspicions about my biography, they would not approve my marriage request [...] A41: For example, if a man wanted to marry Ms. A, the man could submit his marriage request, but it was up to them to decide the request”]; **D114/95** Yoem Sroeng WRI, A253 [“I would like to raise an example: if a cadre loved a woman, at that time, that cadre told his commander that he wanted that woman. The decision, however, was made by the Party”].

3355 **D114/146** Uy Nhoek WRI, A41 [“Sometimes, they did not approve the marriage request, not permitting the man to get married as requested, but they would assign another woman to marry that man”]; **D114/103** Liet Lan (Nam Lan) WRI, A202.

3356 **D114/117** Nav Sokhan WRI, A296-298 [“Q: Was the wedding the same as a general wedding, where parents, monks and Buddhist laymen were present? A296: No, it was not. At that time, no parents or other people joined the wedding. Q: Who came to give a blessing to those couples? A297: No person came to bless us. During the regime, even the pagodas were destroyed. Therefore, there was no one to give a blessing [...] A298: During the Khmer Rouge regime, it was not like the wedding. They just put people to get married and respect *Angkar* all the time”]; **D114/95** Yoem Sroeng WRI, A249 [“Q: Were any monks at those weddings? A249: At that time, there was no religion, so there were no monks”]; **D114/103** Liet Lan (Nam Lan) WRI, A183-184 [“Q: Was your wedding held in a traditional Buddhist manner? A183: No. It was held in the

communist manner [...] A184: [...] Activities were as follows: First, they introduced the marriage. Second, they asked for the opinions of the bride and the bridegroom, asked if we agreed obey them and marry or not. Third, guests gave advice. Fourth, the bride and bridegroom made their vows, and fifth, beverages and food were served as a final celebration”; **D114/32** Meas Saran WRI, A34-37, 39 [“Q: Did your parents or family know about your wedding? A34: No, they did not know. Q: Was that wedding organised according to traditional practices? A35: No. They just ordered us to say ‘resolve’ three times, and that was it. Q: How is a traditional wedding organised? A36: For the traditional wedding ceremony, there would be music, a wise man and parents would be present, the hair-cutting ceremony, and the bride price ceremony would be conducted, and so on [...] A37: Regarding the traditional wedding a man and a woman love each other, and the man would ask his parents to ask for the woman’s hand from her parents [...] Q: Formerly, if parents arranged a marriage for their children on their behalf, could the children refuse? A39: [...] children obeyed their parents’ advice. They agreed to get married as their parents arranged. It was rare that children refused their parents, but some did refuse”; **D54/120** Prom Kem WRI, A3 [“Religious faith, like traditional marriage, was completely forbidden. They permitted and organised only group or communal marriages of ten and sometimes fifteen couples”].

3357 **D114/113** Koem Men WRI, A229 [“Nhan sat at the head of the table. There were about seven or eight guests, who were the head medical staff and some medical staff. There were three people from the military”]; **D114/78** Svay Sameth WRI, A31 [“There were nine people at the wedding including three couples and the other three people who presided over it”]. For high-ranking cadres such as Liet Lan and her wife related to the Division deputy commander, there were more cadres gathered, and even the bride’s father: **D114/103** Liet Lan (Nam Lan) WRI, A175, 179 [“It was attended by many cadres from the Navy and the Army. A long table was prepared with food, drinks and wine. The attendants were both old and young [...] A179: My bride’s father attended”]; **D114/117** Nav Sokhan WRI, A275, 277-278 [“During the wedding, there were seven women including me [...] Q: Besides the seven couples were there other people? A277: No, there were not [...] A278: Only the commander who was in charge of that place was the speaker”].

3358 See **VIII.H.3. Implementation of the National Forced Marriage Policy - The Ceremony.**

3359 **D114/113** Koem Men WRI, A229 [“Three women sat opposite three men”]; **D114/95** Yoem Sroeng WRI, A247 [“The men were ordered to seat in one row and the women in another row. There was a long table, and the men and women sat face to face during the weddings in that regime. Then three committee members announced the acknowledgement of the marriages of the three couples or five couples on the set date and time”]; **D114/32** Meas Saran WRI, A21 [explaining how the 71 couples were represented by two or three couples who held each other’s hands and made their resolutions and how right after all the couples left the cinema hall to have a meal outside].

3360 **D114/304** Vun Bunna WRI, A108 [“There was nothing. People just said a few words and the couple held hands. Then, we ate rice. It was not a significant ceremony”]; **D114/103** Liet Lan (Nam Lan) WRI, A184 [“the bride and bridegroom made their vows”]; **D114/117** Nav Sokhan WRI, A277, 298 [“We just made the resolution and clapped our hands [...] A298: They just put people to get married and respect *Angkar* all the time”].

3361 **D114/32** Meas Saran WRI, A21 [forcibly married together with 70 couples to a Division 3/164 soldier: “They selected a few couples to stand at the front to represent the seated couples [...] In brief, he said that he would not have all the couples rise to make their resolutions because the two or three couples in front would make their resolutions as a model. After Ta Dim finished his speech, the two or three couples at the front stood, held each other’s hands, and made their resolutions”].

3362 **D114/139** Nguon Lay alias Y WRI, A138 [“Q: Was the marriage organised in accordance with tradition? A138: It was like a meeting. They had the couples sit in front of each other at a round table. They declared that this person had to marry this person, and they blessed us”]; **D114/53** Uk Sok WRI, A268 [“There was no real ceremony. They celebrated wedding for five couples once by having the chief presiding at that ceremony”].

3363 **D114/304** Vun Bunna WRI, A100, 112-113 [The wedding took place at Tim Seng’s office and Liet Lan and herself slept together in Seng’s house for one night]; **D114/103** Liet Lan (Nam Lan) WRI, A177 [“Q: Where were you wed? A177: At Ta Muth’s home in Kampong Som”]; **D114/113** Koem Men WRI, A234 [“The wedding ceremonies took place at the division”]; **D114/78** Svay Sameth WRI, A29-30 [“Q: Who presided over the wedding? A29: Nhan, along with two other people, presided over my wedding. An was one of them [...] A30: It was held in Kampong Som [...] near the present statue of lions. Only three couples were arranged to get married at the logistics office at that time”].

- 3364 **D114/32** Meas Saran WRI, A5-6 ["They arranged the marriage for us in the Kampong Som Cinema. The theatre was full of people, and they announced that there were 71 couples [...] A6: I did not know about the marriage arrangement in advance. At that time, they invited me to join a meeting, and then they arranged the marriage for me"]; **D114/83** Sok Neang WRI, A45 ["Sometimes a collective wedding of two, three or five couples was held. The weddings were held at Au Chhoeur Teal because the Commander of Regiment 140 stayed there. That was the men's base and they held the weddings there because there was a proper place for them"].
- 3365 **D114/117** Nav Sokhan WRI, A265, 273-274 ["they took me to the wedding place in Stung Hav, Kampong Som, which was located next to a fish sauce factory [...] After the wedding, they ordered us to stay there for seven days. [...] Q: Where was the wedding held? A273: The wedding was held at a hilly area of Stung Hav. Q: Was there a hall or building for the wedding? A274: The wedding was held in a house, which was built around 0.5 meters up above the ground with a ladder of five steps"].
- 3366 **D114/139** Nguon Lay alias Y WRI, A136 ["I got married at the fresh water area"].
- 3367 **D114/47** Tae Ry WRI, A109 ["The wedding was held at a school around one kilometre away from where we stayed"]; **D114/53** Uk Sok WRI, A284, 286 ["This ceremony was held at the Kang Keng area. That ceremony was not held at any cooperative. They celebrated at the place that they always held the meeting [...] A286: The building was located separately from others in an open field about 100 metres from Smach Daeng cooperative. It was not near any military location"].
- 3368 *See VIII.H.3. Implementation of the National Forced Marriage Policy - Marriages were Forced.*
- 3369 **D114/47** Tae Ry WRI, A112-113, 119-120 ["Q: At that time, did you want to marry that man? A112: No, I did not. Q: Had you seen that man before? A113: No, I had not [...] A119: I also wondered why they matched us to marry each other because we had never known each other [...] A120: I felt frightened"]; **D114/103** Liet Lan (Nam Lan) WRI, A161, 163, 168 ["I had not intended to marry [...] Q: Who chose the bride for you? A163: To my knowledge, Nhan [...] Q: Did you have prior knowledge of your marriage? A168: I learned of it on my wedding day].
- 3370 **D114/32** Meas Saran WRI, A10, 31-32 ["When I arrived at the cinema, I was surprised because I saw many people there. I asked some of them what was going on, and they told me that they were arranging a marriage ceremony. I wanted to escape, but I could not because there were soldiers on both sides of the room [...] A31: In that era, they completely owned us, meaning we had to go wherever they ordered us to go. Q: Did anyone dare to refuse the marriage arrangement? A32: No one dared to refuse [to marry] because we were afraid they would not let us stay alive"]; **D114/103** Liet Lan (Nam Lan) WRI, A197, 218-219, 221 ["I might have been taken to be killed on charges of betraying the Party [...] A218: I told the Chairwoman of the Women's Unit that a member of my unit loved a certain woman and had her ask if the woman agreed to marry my member or not. If she agreed, I would send their names to the upper echelon [...] A219: We could arrange the marriage for anyone, but if she disagreed, it meant that she would be a problem for the Party [...] A221: If she said, 'No', the marriage would not be possible. Sometimes, the Chairwoman of the Women's Unit helped convince her"]; **D114/78** Svay Sameth WRI, A24 ["we were afraid we would be killed"]; **D114/47** Tae Ry WRI, A87-89, 95 ["I saw the Khmer Rouge force 17 couples to marry at Boeng Srei [...] A88: I knew three people [...] A89: [...] They did not refuse to marry. They told me that if they had refused they would have been killed [...] Q: Why did they not refuse? A95: They were afraid of being beaten or killed"]; **D114/83** Sok Neang WRI, A46 ["I heard from other people that at other places, those who refused to marry would be taken to be killed"]; **D114/78** Svay Sameth WRI, A24-26, 32 ["We did not reject their request because we were afraid we would be killed [...] A25: [...] An assistant from the regiment told me that I had to get married [...] A26: I was not very surprised. I did not propose anything to them, but similar cases had happened to other people. I got married in 1977 [...] A32: I did not argue with them because I noticed that those who did not get along with each other after getting married would lose the upper echelons' trust. They said that we did not follow *Angkar*'s arrangement if we refused"].
- 3371 **D114/304** Vun Bunna WRI, A86, 95-96, 147 ["I married because I was assigned to do so [...] Q: At that time, did you agree to marry? A95: I did not say anything. I neither agreed nor rejected. Q: Did you yourself want to marry at that time? A96: I did not want to marry because I was very young. But because my cousin arranged the wedding, I did not reject [...] A147: we lived with each other until 1989 when we divorced"]; **D114/78** Svay Sameth WRI, A32 ["I did not argue with them because I noticed that those who did not get along with each other after getting married would lose the upper echelons' trust. They said that we did not follow *Angkar*'s arrangement if we refused"]; **D114/53** Uk Sok WRI, A293, 299 ["They told me to get married. I had no choice. And I could not refuse as well [...] A299: I did not dare to refuse"]; **D114/83** Sok

- Neang WRI, A46 ["Some people were told to marry and agreed to the marriage arrangement by their chief because they were old enough to marry, or they dared not refuse the arranged marriage"]; **D114/117** Nav Sokhan WRI, A264 ["Q: Did they threaten those women as they threatened you? A264: They just said I couldn't escape. I had to get married"]].
- 3372 **D114/78** Svay Sameth WRI, A22-23 ["At that time we had to get married as ordered [...] Q: Did you have to remain married? A23: Yes we did"]; **D114/103** Liet Lan (Nam Lan) WRI, A172 ["Q: How about your wife? [...] A172: She also objected, but Ta Nhan asked if she followed the Party or followed someone else"]. As for the impossibility of divorcing: **D114/83** Sok Neang WRI, A47-48 [explaining that she never heard any woman forcibly married be allowed to separate or divorce during the regime]; **D114/234** Sam Komnith alias Hut WRI, A74 ["Q: Was divorce or separation possible during the Khmer Rouge regime? A74: It was impossible. It was *Angkar's* discipline. Once we were married, the relationship was to last forever even though we did not live together. Once we lived together, we lived together forever. I never saw anyone getting a divorce"]].
- 3373 **D114/94** Sam Vuthy WRI, A112 ["Q: When you saw each other, did you agree to get married? A112: We had not decided yet, but their plan was that we had to get married that evening whether we agreed or disagreed"]].
- 3374 **D114/117** Nav Sokhan WRI, A262-264 ["Q: When they came to order you to get married, what happened? A262: They told me to get married, but I refused. She told me that if I refused, they would take me to be detained in a prison. Therefore, I agreed to get married. Q: What about the other women who refused to get married? A263: If they refused to get married, they would like to die, and then they went there [...] A264: They just said I couldn't escape. I had to get married"]; **D114/95** Yoem Sroeung WRI, A263, 266 ["Q: What happened to the cadres who did not want to get married? A263: They were accused of not respecting the Party's arrangements and would be arrested [...] Q: Do you know what happened to any girls or cadres who tried to refuse the marriage arrangement? A266: Yes, I do. They were removed from their unit and taken to another place"]; **D114/78** Svay Sameth WRI, A32 ["I did not argue with them because I noticed that those who did not get along with each other after getting married would lose the upper echelons' trust. They said that we did not follow *Angkar's* arrangement if we refused"]; **D114/103** Liet Lan (Nam Lan) WRI, A171-172, 185-186 ["I said I was angry because I had not been informed earlier, and I refused to come forward to make the vow [...] A172: She also objected, but Ta Nhan asked if she followed the Party or followed someone else. [...] Q: When you and your would-be wife refused to marry, what happened? A185: They asked me if I followed the Party or followed someone else. I replied that I never betrayed the Party, but the Party had betrayed me. Q: What did your wife say? A186: She said nothing. Moreover, we did not come forward to make our vow"]].
- 3375 **D114/47** Tae Ry WRI, A97, 100-101 ["They said, 'Comrade, a soldier has requested to marry you.' However, I refused [...] Q: When you refused, what did the unit chief do to you immediately? A100: I was told before the sunset, and at midnight I was called to be re-educated. Q: At that time, did they order you to go with them? A101: Yes, they pointed guns at me. I had no choice"]].
- 3376 **D114/47** Tae Ry WRI, A102-106 ["They took me to a quiet location where the unit chief and two other soldiers were present. The unit chief told the two soldiers that they could do whatever they wanted to me because I did not follow his order. They beat me until dawn, and then they ordered me to work [...] A103: The two soldiers beat me, and the unit chief was there for a while. When the soldiers started beating me, the unit chief told the soldiers to beat me to death because I was stubborn [...] A104: They said that I was stubborn, and if I had followed the orders of the unit chief I would not have been beaten. [...] A105: They beat me with small betel nut trees. Q: Which part of your body was beaten at that time? A106: They ordered me to sit down to be beaten. They beat my entire body, and I coughed blood at that time"]].
- 3377 **D114/47** Tae Ry WRI, A107, 111.
- 3378 **D114/113** Koem Men WRI, A237 ["They brought and showed women to the soldiers, and they asked whether they loved the women or not. I lived on the island, and they brought women to the island"]. Not all women marrying soldiers stationed on islands were brought there. *See, e.g., D114/32* Meas Saran WRI, A13, 16-17, 29 ["I was surprised because the man and I had never met before [...] A16: They had all the women, including me, to marry soldiers from various islands [...] A17: My husband was from Koh Poulo Wai Island, En's husband was from Koh Tang Island [...] Q: Did you know how they matched the couples? A29: As far as I knew, there were three categories. [...] The second category consisted of women from the cooperative who had been transported to the islands for the soldiers to choose a wife and had been able to get to know each other. But for me and my husband, we had never known each other before"]].

- 3379 **D114/113** Koem Men WRI, A237-238 ["Most people had reached the marriageable age. We were old enough. Our troops were between 24, 25 and 30 years old. They brought and showed women to the soldiers, and they asked whether they loved the women or not. I lived on the island, and they brought women to the island. I asked my soldiers whether they liked those women or not. If they both liked each other, we wrote their names down. If they did not, that was fine [...] Our job was to make the arrangements and make sure the men and women saw each other [...] Q: Did the bride and groom meet only once? A238: Yes, they did"].
- 3380 **D114/113** Koem Men WRI, A237, 239 ["If they both liked each other, we wrote their names down. If they did not, that was fine [...] Q: What about the women? Did they have any rights to refuse? A239: Yes, they did"].
- 3381 **D114/32** Meas Saran WRI, A31-32 ["Q: Did you know if the women whom the authorities transported by boat to the islands for the soldiers to choose from were pleased to go? A31: In that era, they completely owned us, meaning we had to go wherever they ordered us to go. Q: Did anyone dare to refuse the marriage arrangement? A32: No one dared to refuse because we were afraid they would not let us stay alive"].
- 3382 **D114/113** Koem Men WRI, A235-236 ["There was no traditional Buddhist ceremony. I can tell you, for example, the man was sitting there and he was asked whether he was willing to marry her. Then they told the bride that this Comrade was arranged by Angkar to marry her. She was then asked whether she was willing to marry him. Q: What would happen if they resisted? A236: Nothing would happen. If we were satisfied, we could get married. If we were not, we could just say that we did not want to have a family yet. If we said no, we would feel ashamed in front of the women" (*emphasis added*)].
- 3383 **D114/113** Koem Men WRI, A226, 238 ["She served as a medical staff in Kampong Som, and the upper level arranged the marriage for us. I did not know her before the wedding [...] Q: Did the bride and groom meet only once? A238: Yes, they did. For example, I met my wife only once"].
- 3384 **D114/95** Yoem Sroeung WRI, A252 ["Some couples were arranged to get married, and some couples married voluntarily"]; **D59/1/1.7a** Mak Chhoeun DC-Cam Statement, EN 00969950 ["Some people, however, were arranged. Some did not like each other so problems ensued later on. And there were some couples who fell apart"].
- 3385 **D114/38** Chum Roem (Chea Roem) WRI, A89-90, 92, 94, 96 ["Q: Did the Khmer Rouge force you to get married? A89: Yes, when I was in Kampong Som. My whole unit refused to get married [...] A90: Thi proposed that all the female comrades in the unit get married to the soldiers in Kampong Som. I said 'Any sisters who want to get married, just go ahead. I will not, because I am away from my parents. I am willing to die.' And the others also refused [...] Q: What happened when all of you refused to get married? A92: At night, they kicked our door until it almost broke. Then Thi requested weapons to protect us. Three days later, the women's unit left Kampong Som, we were released [...] A94: The men's unit had a plan to grab the women's unit if there were only three women traveling. After that, when we went anywhere, we travelled in a group of 12. So they did not dare grab us. From that time on, it was hard to protect ourselves [...] A96: one woman disappeared at the time. We tried to find her, and then we found her body covered with banana leaves"]. *See also* **D1.3.32.5** Chum Roem (Chea Roem) DC-Cam Statement, EN 00183885 ["While Roem was at Kampung Saom, a unit of male combatants proposed that they all be married off en masse to women in her unit, all the girls and women from 15 to 30, but her unit had refused. The brother in charge of the military unit then plotted to abduct women who wandered off on their own, but the women were then instructed to work only in groups. The men then tried to put knock-out drops in the women's food, but the women deployed night guards. Finally, the women requested and got guns from the Organization"].
- 3386 **D114/32** Meas Saran WRI, A21 ["Those who lived far from here, in particular the soldiers from the islands, were allowed to stay in the cinema for a few days or a week in order to *get to know each other*" (*emphasis added*)]; **D114/117** Nav Sokhan alias Ken WRI, A308 ["Q: Did they order you to sleep with your husband? A308: They ordered us to sleep with each other because we were married"]; **D114/32** Meas Saran WRI, A54 ["someone told me that we had already made our resolutions, and we must fulfil our vows"].
- 3387 **D114/103** Liet Lan (Nam Lan) WRI, A187 ["Later, they arranged a house for us to live, and they told us to stay there for three days"]; **D114/117** Nav Sokhan alias Ken WRI, A304-307 ["After the party, Soeun ordered his members to tell us that the next day, the wives had to live in cooperatives [...] A305: I stayed at their place in Stung Hav. We stayed there for seven days before they sent us to the cooperative [...] A306: I stayed in a house with a zinc roof. There were six rooms in the house. And there was a small lathe hall. Q: Did the seven couples stay in the house? A307: Yes, they did"]; **D114/53** Uk Sok WRI, A288, 309-311 ["After getting married, we lived together for three days [...] Q: Was the place a house or a building? A309: It was a simple house. Q: How long did you stay there? A310: For three nights. Q: Did you want to stay there? A311:

- No, after three days, we came back to our cooperative”]; **D114/32** Meas Saran WRI, A40-42 [the couples stayed after the wedding in the cinema where there were a number of small rooms or flats].
- 3388 **D114/103** Liet Lan (Nam Lan) WRI, A187, 190-191 [“Later, they arranged a house for us to live, and they told us to stay there for three days. I did not stay there. I took a motorbike back to the ship. Upon my arrival on board, Nhan sent a messenger to me. When I met him, he imposed restrictions ordering me to stay at home for one week. I told him, ‘How can I stay at home? I have a job to do?’ He said that someone would do my job for me. I stayed at that house for one or two days, and then I returned to the ship [...] Q: Where was the house where you were ordered to lie? A190: A flat in the vicinity of Ta Mok’s house. Q: When you stayed home with your wife for two days, what happened? A191: Nothing happened. We just had a small chat. Two days later, I returned to my ship, and she returned to her rice field”]; **D114/117** Nav Sokhan alias Ken WRI, A308, 312 [“Q: Did they order you to sleep with your husband? A308: They ordered us to sleep with each other because we were married [...] Q: Did you consummate your marriage? A312: Yes, I did”].
- 3389 **D114/103** Liet Lan (Nam Lan) WRI, A192-193, 196-197 [“Q: Did you sleep with her? A192: Yes, I did. Q: At that time, did both of you agree? A193: Yes. I agreed, but I did not know if she agreed or what, but I was forced to do so because I knew that when they told us to stay home for one week, we were under scrutiny [...] Q: Did she agree [to] sleep with you because she thought that she was being monitored? A196: I do not know if she knew that or not, but I knew that we were under scrutiny. Q: If you had refused to sleep with her, what could have happened to you? A197: If I had not been flexible enough, I might have been taken to be killed on charges of betraying the Party”]; **D114/95** Yoem Sroeng WRI, A259-262 [“Q: Just now, you said that some couples did not live together after getting married. Did anyone monitor the newlyweds to see whether or not they slept together after marriage? A259: They were monitored after getting married, but I do not know about this matter. Q: Do you know what they monitored and looked for? A260: First, they wanted to know whether the newlyweds loved each other after getting married. I heard someone saying that people eavesdropped under the couples’ houses to see if the newlyweds got along well with each other. Besides, they were afraid that if the couple did not get along with each other, they would commit suicide by hanging themselves. Q: Did they observe because they wanted to know whether or not the couples slept with each other? A261: Yes [...] A262: They monitored the couples because they wanted to know whether or not the couples slept with each other, but I do not understand why they did so. This was the idea of the leaders. I also wondered why they needed to do so when the couples were already married”].
- 3390 **D114/103** Liet Lan WRI, A197-198, 200-201 [“Q: If you had refused to sleep with her, what could have happened to you? A197: If I had not been flexible enough, I might have been taken to be killed on charges of betraying the Party [...] A198: We had to follow orders. We had to do what they told us to do [...] Q: At that time, did you want to sleep together? A200: I did not want to have sexual intercourse. Q: Why did the Party require you to sleep together after your marriage? A201: I do not know. That was the arrangement. I had to follow their orders. If I had failed to obey, I would have been in trouble”].
- 3391 **D114/32** Meas Saran WRI, A48, 50, 53-56 [“For the first two or three nights, I tried to escape, but as a result they sent us to stay in a wooden house near the foot of a mountain, about one kilometer from the cinema. Three or four other persons lived there too. Q: How did they know that you avoided having sexual intercourse with your husband? A49: My husband told them [...] A50: He probably told his chairperson. That was why they sent us to the new place [...] Q: Did your husband try to sleep with you again? A53: Yes. Q: Did you still refuse? A54: I stopped refusing because someone told me that we had already made our resolutions, and we must fulfil our vows. Q: Did you think you had no option to refuse your husband? A55: Correct. Q: Did your husband force you? A56: If I refused to sleep with him, he would have forced me”].
- 3392 **D114/103** Liet Lan (Nam Lan) WRI, A200-201 [“Q: At that time, did you want to sleep together? A200: I did not want to have sexual intercourse. Q: Why did the Party require you to sleep together after your marriage? A201: I do not know. That was the arrangement. I had to follow their orders. If I had failed to obey, I would have been in trouble”]; **D114/117** Nav Sokhan WRI, A308 [“They ordered us to sleep with each other because we were married”].
- 3393 For example, **D114/32** Meas Saran WRI, A113-114 [“Q: Having experienced the Khmer Rouge regime, do you feel pain? A113: Yes I do [...] A114: I feel hurt because they sent me to faraway places, they arranged my wedding without telling my parents or siblings”]; **D54/29** Liet Lan (Nam Lan) WRI, A3, 5 [“I was not happy with the event as I had not known anything about it [...] A5: I was surprised because of the preparation. Since then, I lost my confidence in the regime’s work methods”].
- 3394 Nav Sokhan alias Ken was identified by Seng Ol as one of the women she had selected in Nhaeng Nhang commune to be married in Kampong Som: **D114/36.1.64** Seng Ol WRI, A21 [“I don’t remember them all, but

I do remember one, Ken, who is still alive, but I don't know where she is living"]. In Nav Sokhan's Written Record of Interview she first strongly denied she had been married at all in Kampong Som, arguing that she had refused the marriage proposal and that nothing happened after her refusal: **D114/117** Nav Sokhan alias Ken WRI, A218-228. However, she eventually admitted she had been forced to marry Sun Mot, one of the Division 164 leaders, in Stung Hav, after she had been confronted by another testimony. See **D114/117** Nav Sokhan alias Ken WRI, A235-236, 248-364.

3395 **D114/53** Uk Sok WRI, A278 ["I separated from my first husband in 1979 and we have never seen each other again"]; **D54/29** Liet Lan (Nam Lan) WRI, A9 ["We divorced in 1991 or 1992"]; **D114/103** Liet Lan (Nam Lan) WRI, A241; **D114/304** Vun Bunna WRI, A147 ["Yes, we lived with each other until 1989 when we divorced"]; **D114/113** Koem Men WRI, A226; **D114/32** Meas Saran WRI, A96 ["Some of them became pregnant, but after the Khmer Rouge regime collapsed, the couples separated"].

3396 The ICIJ charged Meas Muth with crimes committed during the purge of Division 117 (**D174** Written Record of Appearance, pp. 5, 8) and rescinded the earlier charges relating to Sector 505 cadres (**D174** Written Record of Appearance, p. 10). By his Introductory Submission, paras 43, 65-66, the ICP seized the Co-Investigating Judges with the purge of Division 117 and through **D120** Supplementary Submission, paras 12-14, he clarified that "the purge of Division 117 military cadres and Sector 505 civilian cadres in Kratie Province in late 1978 [...] is included within the scope of crimes to be investigated in Case 003". In any event, the purges of Sector 505 cadres and civilians were indivisibly bound to the purges of Division 117 military personnel and constitute circumstances of the Division 117 purge. As set out below, although holding notionally civilian positions at the time, the high-ranking Sector 505 cadres purged in late 1978, including Sector Secretary Meas Moeun, Kratie District Secretary Huon Yeng and Snuol District Secretary Chhum Chin alias Phoan were RAK military cadres, some from Division 117 itself, and each of these men was involved in the border fighting with Vietnam alongside the Division 117 military cadres. Moreover, the arrests of the senior Division 117 and Sector 505 cadres and civilians were contemporaneous, motivated by the same perception of treachery after military defeats against the Vietnamese. The arrestees were brought to S-21 together and the meeting called by Meas Muth as the purge was underway convened both military and civilian cadres. See in this regard **D165/2/26** Decision related to (1) Meas Muth's Appeal against Decision on Nine Applications to Seize the Pre-Trial Chamber with Requests for Annulment and (2) The Two Annulment Requests Referred by the International Co-Investigating Judge, 13 Sep 2016, Opinion of Judges Beauvallet and Baik, paras 168-9.

3397 **D4.1.177** DK Report, *Working with the Committees of Every Unit of Organization*, 12 Sep 1977, EN 00355487, KH 00086707, FR 00811327 [discussing "smashing" and "sweeping clean" enemies who are "CIA, KGB and Yuon territory-swallowers"].

3398 See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.

3399 See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership; III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of Enemies – RAK - a) RAK Centre Divisions & Regiments; XIII.B. Modes of Liability – 1. Committing via Joint Criminal Enterprise.

3400 See III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of Enemies – RAK - a) RAK Centre Divisions & Regiments; III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of Enemies – RAK - b) Division 164; VIII.A. Purges Within Division 164 – 1. The CPK/RAK Policy to Purge the Internal Enemies and Meas Muth's Intent to Purge the Ranks of Division 164.

3401 See VIII.G. Genocide of the Vietnamese.

3402 See VIII.G. Genocide of the Vietnamese; III.3. Meas Muth's Contributions to Crimes – Vietnamese.

3403 **D4.1.376** Map entitled "Democratic Kampuchea", EN 00295143, KH 00193066, FR 00295144.

3404 **D114/297.1.23** Moeng Vet (Deputy Chief of Division 117 Office), T. 27 Jul 2016, 11.16.58-11.19.12, 13.33.30-13.35.46 ["In 1977] Kratie was no longer under the Northeast Zone; it was under the Centre at the time. [...] After I was moved to Kratie, that Kratie sector was an autonomous one; it was no longer under the Northeast Zone"]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 10.15.54-10.17.59 ["During the DK period, through my understanding at the Sambour district, that sector was autonomous under the direct control of the centre. And as I understood, it was in the Northeast Zone initially, and later on it was separated from the Northeast Zone to become an autonomous sector. [...] I cannot grasp the year, as I understood it was around 1977 when it became an autonomous sector. It was either in later '76 or early '77, although I am not entirely sure"]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753819, KH 00059312 [Stating that Kratie was

- in the Northeast Zone until 1977, when it became an autonomous sector]. *See further* **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.38.38-09.40.16 [“I lived in Sector 505. That was in Kratie province, and it was an autonomous sector, which means it was not under the administration of any zone”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.00.52-14.03.52 [“Q: In regards to the status of Kratie, Sector 505, was Kratie sector, Sector 505, was it part of a zone at that time or was it an autonomous sector? A: To my knowledge, it was an autonomous sector and it was not under any direct supervision of any zone”].
- 3405 **D98/3.1.124** Yun Kim, T. 20 Jun 2012, 14.07.54-14.10.03 [“At that time, there was three districts [in Kratie], Snuol, Kratie and Sambour district”]; **D98/3.1.315** Yun Kim WRI, EN 00345193, KH 00340152, FR 00404179 [“This sector [505] covered three [districts]: Sambour, Snuol and Kratie”].
- 3406 **D98/3.1.124** Yun Kim, T. 20 Jun 2012, 14.07.54-14.10.03 [“At that time [1973] there [were] three districts, Snuol, Kratie and Sambour district. Chhlaung was ceded to another East side or East Zone”]; **D4.1.1047** Chuon Sarith WRI, A9 [“In mid 1975], [m]y Group walked up to Chhlaung district, Sector 21 of Eastern Zone”]; **D234/2.1.123** Meas Soeun, T. 29 Jun 2016, 09.52.20-09.54.20 [Testifying that in the early 1970s, his father [Meas Senghong alias Chan] was the chief of Chhlaung District in Sector 21 in the East Zone], 13.38.15-13.40.28 [Confirming the names of Sector 21 district chiefs, including of Chhlaung District, in 1977]; **D64.1.8** Mao Phouk US POW/MIA Statement [“Sector 21 included the districts of [...] Chhlong District in Kracheh Province”]. *See also* **D114/230.1.1** OCIJ S-21 Prisoner List, No. 6854 [“Pen Chhe (Chhaom Savat) alias Chhaom Sarat, Secretary of Chhlong and Member of Sector 21 (Secretary of Chhlong in Sector 21, before work as Member of Krauch Chhmar District in Sector 22), East Zone; Date of Entry: 08-Jun-77 or 02-Jun-77”].
- 3407 **D4.1.810** Seng Soeun WRI, A33, 58 [Sector 505 office chief who arrived in December 1978: “There were 4 districts in Kratie province: Kratie, Sambo, Snuol and Chhlaung [...] A58: [...] Han was the [Chhlaung] district committee”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.51.58-13.57.20; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753840-41, KH 00039332-34; **D98/3.1.262** Sector 505 organigram drawn by Seng Soeun, 11 Nov 2009; **D64.1.37** FBIS, *VOCP Reports Uprisings in Kratie, Prey Veng Provinces*, 9 Dec 1978, EN 00169080 [Referring to “Chhlong District, Kratie Province”]; **D114/171** Keo Saruon WRI, A54 [Wife of Kratie District Secretary Huon Yeng: Counting “Rang [...] the wife of a cadre on the Chhlaung District Committee” among the Sector 505 cadres’ wives with whom the witness discussed disappearances in late 1978]. As explained further in **D257/1/4** International Co-Prosecutor’s Response to Application for Annulment of Alleged Torture-Derived Written Records of Interview, 11 Oct 2017, paras 13-14, 18, the ICP submits that the ICIJ’s decision to “disregard” A46-68 of Keo Saruon’s WRI (**D251**, para. 59) was made as a result of errors of fact and law.
- 3408 **D1.3.22.1** CPK Statute, Jan 1976, EN 00184025, KH 00053011, FR 00292917 [“The party has a single firm organizational discipline”], art. 2(2)(B), EN 00184031-32, KH 00053016-18, FR 00292921-22 [“The duties of Party members [...] Internal duties [...] B. Respect Party organizational discipline unconditionally, with the highest awareness”], art. 4(1), EN 00184033, KH 00053018-19, FR 00292923 [“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”].
- 3409 **D98/1.2.46** Norng Sophang, T. 4 Sep 2012, 09.42.53-09.44.43 [“And at each zone, the same system was applied, and no one could report directly to the Centre [...] except [...] autonomous zones [...] the independent sector that was not under any supervision by the zone”]; **D4.1.611** Norng Sophang WRI, EN 00334052, KH 00328034, FR 00411702 [“There were telegrams [to Office 870] from various Zones and autonomous Sectors”]; **D98/3.1.114** Phan Van, T. 11 Dec 2012, 11.46.51-11.51.51 [stating that Sector 105 was an autonomous sector that reported to Office 870]. *See also* **D98/1.2.38** David Chandler, T. 18 Jul 2012, 13.41.12-13.42.45 [“It’s a pyramidal structure. Each group defers to the one above it until you get to the top group, which is the collective leadership, and that’s [...] the driving force [...] Once the final decision is made, it goes from top to bottom”].
- 3410 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.00.52-14.03.52 [“Q: Who did autonomous sectors like Kratie report to? [...] A: [...] the report from the sector went to the Party Centre”]; **D4.1.810** Seng Soeun WRI, A49, 54 [Sector 505 “informed the Central Committee on various situations on a monthly basis,” including “enemy situations, production situations and general people situations [...] A54: I think that the sector had monthly meetings with 870 in Phnom Penh while the reports were kept in the sector. For the autonomous Sectors like Kratie, the meetings would take place with the Office 870”]; **D98/1.2.20** Kaing Guek Eav, T. 28 Mar 2012, 10.07.42-10.09.48 [“Q: Do you know of any independent sectors during that period? [...] A: I think I recall

[...] Sector 505 in Kratie Province, which the committee of that sector had to report directly to the secretary and deputy secretary of the Party”]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 10.15.54-10.19.41 [“During the DK period, through my understanding at the Sambour district, that sector was autonomous under the direct control of the centre. [...] As I understand, if a sector within the zone level -- it had to liaise directly with the zone. As for the -- an autonomous sector, it would communicate directly with the Centre -- that is, the Centre located in Phnom Penh. It did not have to go through the zone”]; **D114/101** Em Sarin WRI, A30, 35-43 and **D114/102** Em Sarin WRI, A39-40, 42 [Describing communicating with Office 870 from the Sector 505 Office]. There are a number of surviving telegrams showing Sector 505’s leadership reporting directly to Office 870. *See* **D4.1.1036**, **D4.1.704** Telegram from Yi (Born Nan) to Office 870, 1 May 1977; **D4.1.733** Telegram from Yi (Born Nan) to Office 870, 11 May 1977; **D4.1.655** Telegram from Yi (Born Nan) to Office 870, 14 Sep 1977, EN 00143091; **D4.1.301** Telegram from Yi (Born Nan) to Office 870, 16 Dec 1977. *See also* **D4.1.295** Telegram from Kuon (Sann Bun Hy) to Yi (Born Nan) via Office 870, 5 Nov 1977; **D1.3.34.50** Telegram from Kuon (Sann Bun Hy) to Yi (Born Nan) through Office 870, 22 Dec 1977; **D4.1.302** Telegram from Kuon (Sann Bun Hy) to Yi (Born Nan) through Office 870, 22 Dec 1977.

3411 Telegrams **D4.1.1036**; **D4.1.655**, **D4.1.301**, **D4.1.295**, **D1.3.34.50**, **D4.1.302** listed above were all copied to Son Sen alias Khieu. *See also* **D114/29.1.6** Sao Sarun WRI, EN 00350263, KH 00345912, FR 00350263 [“M-870 referred to the Centre Committee that, as I remember, consisted of Pol Pot, Nuon Chea, Khieu Samphan, Son Sen and Ta Mok”]; **D114/285** Prum Sarat (Bun Sarath) WRI, A199 [recalling Son Sen’s radio communication code to have been 870]. *See further* **D234/2.1.52** Written Record of Analysis by Craig C. Etcheson, EN 00142835, KH 00314793, FR 00314649 [“Telegraphs and other written communications flowed constantly from lower echelons into Office 870. Office 870 then distributed the information to appropriate SC members”] *citing* **D1.3.27.1** CPK Standing Committee Minutes, 9 Oct 1975, EN 00183395, KH 00019111, FR 00292871 [“When a telegram comes in, immediately when it is received the office must hand it to the responsible section immediately, so they can examine and consider it and make proposals to the Standing Committee”].

3412 **D4.1.810** Seng Soeun WRI, A54; **D4.1.1036** (also **D4.1.704**) Telegram from Yi (Born Nan) to Office 870, 1 May 1977; **D4.1.733** Telegram from Yi (Born Nan) to Office 870, 11 May 1977, EN 00143562, KH 00021508, FR 00623149 [reporting on arrest of 5 Vietnamese military personnel, stating that further “measures” would be taken, and assuring of investigations in collectives and the forest]; **D4.1.655** Telegram from Yi (Born Nan) to Office 870, 14 Sep 1977, EN 00143091 [reporting on search for 3 Cham]; **D1.3.34.50** Telegram from Kuon (Sann Bun Hy) to Yi (Born Nan) through Office 870, 22 Dec 1977 [Reporting on enemies smashed and casualties incurred during cross-border fighting with Vietnamese and requesting arms and ammunition]; **D4.1.302** Telegram from Kuon (Sann Bun Hy) to Yi (Born Nan) through Office 870, 22 Dec 1977 [reporting on conflict with Vietnamese and requesting armed and ammunition]; **D4.1.295** Telegram Kuon (Sann Bun Hy) to Yi (Born Nan) via Office 870, 5 Nov 1977, EN 00324808, KH 00020884, FR 00623016.

3413 **D4.1.810** Seng Soeun WRI, A54 [stating that the sector committee had monthly meetings with Office 870 in Phnom Penh].

3414 **D4.1.810** Seng Soeun WRI, A55-56 [Former chief of Sector 505 office describing receiving letters from Office 870]; **D234/2.1.52** Written Record of Analysis by Craig C. Etcheson, EN 00142835, KH 00314793, FR 00314649 [“the Center sent directives to cadre[s] at Zone, Sector, District, and Cooperative echelons, as well as to all levels of the Revolutionary Army of Kampuchea”] *citing* **D1.3.34.78** DK Government Telegram, *Advice from 870*, 3 Jan 1979; **D1.3.19.4** CPK Directive, *Announcement of Steady and Absolute Combat Against the Yuon Enemy Aggressors and Expansionist Land-Grabbers*, 1 Jan 1979.

3415 **D98/1.2.45** Norng Sophang, T. 3 Sep 2012, 10.01.44-10.04.50 [“Regarding the meeting with the Centre, sometimes it was made through the secret telegram, for example a request made with this brother or that brother at a particular location. Sometimes a telegram was sent in advance to transmit such a request [...] for internal matters they would [...] rather meet in person through a request, through a short transmission by an advance telegram [...] I came across some of the telegrams regarding the invitations to the zone cadres for meetings. They were in short messages through the telegram [...] the message was sent to various zones and sectors through short telegrams”]; **D4.1.611** Norng Sophang WRI, EN 00334052, KH 00328033, FR 00411702 [“sometimes there were messages inviting people on behalf of the Committee 870 to the meetings”].

- 3416 **D1.3.22.1** CPK Statute, Jan 1976, art. 7(3), EN 00184038, KH 00053030-31, FR 00292927 [“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”].
- 3417 **D1.3.22.1** CPK Statute, Jan 1976, art. 16(2)-(3), EN 00184042-43, KH 00345912, FR 00292930 [“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”].
- 3418 **D1.3.22.1** CPK Statute, Jan 1976, art. 16(4), EN 00184042-43, KH 00345912, FR 00292930 [“The tasks of the Sector-City Committee are: [...] administer discipline in the Sector-City framework”].
- 3419 **D114/29.1.6** Sao Sarun WRI, EN 00350263, KH 00345912, FR 00361763 [“Sector military had the right to report only to the Sector Committee. As for the Centre Divisions, they had to report directly to the Centre. [...] A division referred to the army and it belonged to the Centre.”]; **D1.3.22.1** CPK Statute, Jan 1976, arts 16(2)-(3). *See also* **D98/3.1.315** Yun Kim WRI, EN 00345193-94, KH 00340152, FR 00404179-80 [“[Deputy Sector Secretary] Kuon, the deputy was in charge of the military section [...] [Deputy Sector Secretary] Khonn was in charge of the military section”]; **D114/64** Em Sarin WRI, A264, 268, 273, 279 [“Khon was the Sector Deputy Secretary [...] A268: Khon was in charge of military affairs [...] A273: charged with battlefield command [...] A279: Whenever any military meetings occurred, Khon attended them”]; **D114/102** Em Sarin WRI, A7 [“On the name list you showed me yesterday, I saw the name of Khon, who was also Kratie Sector Military”]; **D114/101** Em Sarin WRI, A13 [Stating that in Kratie, Sector Secretary Meas Moeun “was in charge of the frontline battlefield”].
- 3420 *See, e.g.,* **D4.1.578** Telegram 54 from Sarun to Respected Brother, 23 Apr 1978, EN 00296220, FR 00531910 [telegram from Sector 105 Secretary discussing the arrest of Sot, who was “implicated in the confession of the traitor A Chuon”]; **D4.1.404** Kaing Guek Eav alias Duch WRI, EN 00242932, KH 00242921, FR 00242942 [“The confession was sent to the unit head for two reasons: on the one hand, to inform the unit head of enemy activities within that unit, and on the other hand, to allow him to contemplate the arrest of implicated persons”]; **D4.1.1118** Kaing Guek Eav WRI, EN 00195602; **D114/277.5** Kaing Guek Eav, T. 14 Jun 2016, 14.34.51-14.36.39 [“When enemies implicated certain individuals at the zone level, the upper echelon sent those confessions to the particular zone for review”]; **D10.1.1** S-21 Confession of Yung Peou, EN 00182829, KH 00004599, FR 00766979 [annotation on confession of Sector 106 Security Chief: “One copy sent to Comrade Pok”].
- 3421 **D1.3.22.1** CPK Statute, Jan 1976, art. 6(5), EN 00184037, KH 00053024, FR 00292926 [“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”], art. 13(4), EN 00184041-42, KH 00053028-29, FR 00292929 [“The tasks of the District Committee are: [...] 4. [...] maintaining a system of reporting to upper echelon on the situation and work of the district”]; **D4.1.788** Sam Voeun WRI, EN 00381135, KH 00379478, FR 00426230 [Sambour District Secretary attended meetings “at the sector” in Kratie town twice a month and presented reports]; **D4.1.811** Yun Kim WRI, EN 00412195, KH 00402526, FR 00434571 [“the district was invited to attend weekly meetings with the province [...] if it was an urgent matter, a letter would be sent via messengers”].
- 3422 **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 14.05.06-14.07.31 [“In principle, as the commune committee, I had to listen to the order rendered from the upper echelon”]; **D4.1.811** Yun Kim WRI, EN 00412191, KH 00402522, FR 00434567 [“the commune sent the reports to the district and then the district to the province”]; **D4.1.458** Tann Saroeun (Kok Kduoch prison chief) WRI, EN 00225532, KH 00196824, FR 00272776 [“The cooperative chiefs always attend the meeting at the district office to get that policy guidance”. It was at these meetings that “accusation letters” were approved], EN 00225536 [“I attended a monthly meeting at the district office. [...] Those meetings were chaired by [Sambour District Secretary] Voeun. Attendees to those meetings included cooperative chiefs”]; **D4.1.788** Sam Voeun WRI, EN 00381135, KH 00379478, FR 00426230 [stating that meetings between district and commune committees occurred twice a month].
- 3423 **D4.1.458** Tann Saroeun (Kok Kduoch prison chief) WRI, EN 00225536, KH 00196828, FR 00272781 [“I attended a monthly meeting at the district office. [...] Those meetings were chaired by [Sambour District Secretary] Voeun. Attendees to those meetings included cooperative chiefs, department chiefs and ministry chiefs who were in charge of military and security”].

- 3424 **D4.1.458** Tann Saroeun WRI, EN 00225532, KH 00196824, FR 00272776 [“Usually, the cooperative chief and militiamen were the ones who arrested the prisoners and sent them to Kork Kduoch [Sambour District Security Centre] Those arrests were made by the cooperative chief following the district policies and other higher echelon”].
- 3425 **D4.1.458** Tann Saroeun WRI, EN 00225532, KH 00196824, FR 00272777 [“some prisoners were taken out [of the security centre] by the district or sector offices”], EN 00225534-35, KH 00196826-27, FR 00272779 [explaining that Sambour District Secretary Sam Voeun was “our superior” at Kork Kduoch security centre and “came everyday [...] to supervise tasks” and give instructions including “to keep an eye on enemy activities among the cadres and prisoners to prevent any infiltration into the rank”], EN 00225536, KH 00196828, FR 00272781 [monthly reports were required from Kork Kduoch security centre to the district committee]; **D4.1.451** Uong Khmoeu WRI, EN 00272638, KH 00194494-95, FR 00272640.
- 3426 **D4.1.458** Tann Saroeun WRI, EN 00225532, KH 00196824, FR 00272776 [“The cooperative chiefs always attend[ed] the meeting at the district office to get that policy guidance”].
- 3427 *See VI. International Armed Conflict.*
- 3428 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.*
- 3429 **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.42.22-09.44.04 [“there was teacher Sim Son (phonetic), who changed his name to Comrade Yaem (phonetic) later on. He was subsequently sent as an ambassador to Korea”]; **D4.1.811** Yun Kim WRI, EN 00412200, KH 00402530, FR 00434575 [“Ta Yem, alias Sun was the Sector [505] Chief from 1971 to 1976”]; **D98/3.1.315** Yun Kim WRI, EN 00345193-94, FR 00404179, KH 00340152 [“Ta Yem was the sector chairman [...] In 1976, Ta Yem was reshuffled to be the Cambodian Ambassador to North Korea”]; **D4.1.927** Heng Lai Heang WRI, A4 [“Mr. Yem was the Sector Chairman in Sector 505 from 1970 until 1976 [...] The Sector 505 was comprised of its Sector Committee and the following people who were part of it; Yem was the Chief”]; **D114/36.1.31** Phat Duongchan WRI, EN 00375683, KH 00373395, FR 00426185 [“approximately in late 1976 or early 1977, Chet was arrested by the provincial committee that included secretary Yem”]; **D4.1.917** Telegram from Yem (in Pyongyang), 21 Dec 1977, EN 00434860, FR 00611893.
- 3430 **D98/3.1.315** Yun Kim WRI, EN 00345194, KH 00340152, FR 00404179 [“Yi was appointed to substitute Yem”]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 10.08.18-10.10.11 [“Allow me to say that Mr. Yem was the secretary of the provincial town. Later on, he was transferred, and Mr. Yi replaced him in that position”]; **D4.1.811** Yun Kim WRI, EN 00412200, KH 00402530, FR 00434575 [“and later on Ta Yi became the chief of the Sector”]; **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.38.38-09.40.16 [“The chief of Sector 505 used to study at Kossamak (phonetic) High School together with me. His name was Boun Nan (phonetic)”, 09.42.22-09.44.04 [“Boun Nan (phonetic), and his revolutionary alias was Comrade Yi (phonetic), who was in charge of Sector 505”].
- 3431 **D4.1.811** Yun Kim WRI, EN 00412200-01, KH 00402531, FR 00434575 [“During Ta Yem time, Kang was responsible for security [...] [Kang] was the security chief for Sector 505 from 1970 to about 1977 and then disappeared during the purge period”]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 14.35.05-14.37.04 [“Kang was in charge of the provincial security. [...] I knew he had been arrested before Kuon was arrested, so they subsequently disappeared”]; **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 110 [Sector Deputy Secretary, Ban Saroeun, Entered 22 April 1977], 11552 [Chief of Sector Office, Sieng Pha alias Phal, Entered 27 April 1977], 1683 [Hin Samphuan, Member of Sambor District, Entered 21 August 1977].
- 3432 **D98/3.1.315** Yun Kim WRI, EN 00345193-94, KH 00340152, FR 00404179 [“Kuon, the deputy was in charge of the military section [...] Yi and Kuon were arrested in 1978 with the allegation of betrayal”]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 10.13.38-10.15.54 [“As for Moeun, he was at the Kratie provincial level after the arrest of Yi”], 14.29.24-14.31.36 [“The situation in Kratie province was chaotic in early 1978. Yi was the secretary of the sector, and in 1978, when the military came to make the arrest, they arrested many people, and maybe Yi was also arrested, but it was – I heard that he was on a boat on the trip to Phnom Penh and he was arrested along the way”], 14.35.05-14.37.04 [“During the [early 1978] purge, Kuon was arrested, so he was also purged and he disappeared since”]; **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.38.38-09.40.16 [“The chief of Sector 505 [...] was Boun Nan (phonetic). However, later on, he was also executed”]; **D4.1.927** Heng Lai Heang WRI, A4 [“Kuon was in charge of military”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753833-34, KH 00059326 [“Who was the Secretary of Kratie? A: Yi and Kuon were the first ones. Q: Ta Yi was the secretary and Ta Kuon was the deputy, right? A: Yes, exactly”]; **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 150 and 8109 [Sector Secretary, Born Nan and Sector Deputy Secretary, Sann

- Bun Hy alias Kuon, who both entered S-21 on 21 March 1978]; **D10.1.53** Confession of Born Nan alias Yi, Sector 505 Secretary, Mar-May 1978.
- 3433 **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 09.39.38-09.41.58 ["In 1978, there was a huge arrest being made because in my Sambour sub-district, all the commune chiefs were arrested, saving only very few. The police were also arrested and the arrests were made all across the province"], 14.29.24-14.33.30 ["The situation in Kratie province was chaotic in early 1978. Yi was the secretary of the sector, and in 1978, when the military came to make the arrest, they arrested many people. [...] the military [...] arrested the former district and provincial committee [...]. At my location, my deputy and the person in charge of the hospital had been arrested. [...] Most of the people who were arrested were at the leadership level. Most of the district committee were arrested, the provincial committee. Most of them were arrested, and some from the commune levels were arrested."]. *See further*, **D234/2.1.98** Uch Sunlay, T. 2 Mar 2016, 09.40.16-09.42.22.
- 3434 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 150 [Sector Secretary, Born Nan, Entered 21 March 1978], 463 [Chief of Sector Worksite, Chhun Lay, Entered 1 March/April 1978], 1513 [Chief of Sector Transportation, Eng Bun Heang, Entered 1/22 April 1978], 4382 [Chief of Sector Hospital, Leang Sim Han (Leang Soem) alias Ros or Han Ros, Entered 4 March 1978 or 3/5 April 1978], 8109 [Sector Deputy Secretary, Sann Bun Hy alias Kuon, Entered 21 March 1978], 1095 [Chheu Hor (Chhi Hor) (Chhy Hor) alias Phan, Member of Kratie District in Sector 505], 1480 [Eav Saray (Khieu Saray) alias Phoeun, Member of Sambor District], 6898 [Phang Ny (Phan Ny), Member of Sambor District], 8452 [Seang Khan (Sang Khan) alias Khorn, Committee Member of Snuol District], 13059 [Uch Neang, Committee Member of Snuol District]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 14.31.36-14.33.30 ["in Sambour, Phoeun and Ny were arrested at the district"], 14.35.05-14.37.04 ["As for Phoeun, who was the district soldier, he was also arrested"], 15.11.20-15.13.27 ["Later on, [Ny] was the chief of the district and, at the same time, in charge of economic section when Phan had been transferred [...] Ny and Phoeun were both in charge of both military and security because there was a shortage of forces and these people were arrested in early 1978 when Yi and Kuon were arrested. Ny and Phoeun were eventually arrested"]].
- 3435 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 5859, 8867-8870, 8873-8874, 8876-8883, 8885-8894, 8954-8958, 8960, 8963-8970, 8972-8981, 11880, 13344.
- 3436 **D1.3.24.5** *Revolutionary Flag*, May-Jun 1978, EN 00185341, KH 00064577 ["we have smashed the traitorous leading apparati throughout the country together with their faction; concretely, the traitorous forces in [...] kracheh"]].
- 3437 **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 09.39.38-09.41.58 ["In 1978, there was a huge arrest being made [...] I did not know who ordered the arrests, although I learned at the later date, in my section the military came to be in charge [...] After several district secretaries or committees were arrested, there was a person from the military to take charge of the position"], 14.31.36-14.35.05 ["The chaotic situation in early 1978 was that the military controlled the area and arrested the former district and provincial committee [...]. At that time, the military wore a green uniform. I did not know which zone they were from – or I cannot recall. They used the word “Nhom” (phonetic) to speak to the people; it’s like the word the man used to speak to the lay – to the ordinary person”]; **D114/64** Em Sarin WRI, A274, 276-277, 283 ["Q: Was it normal or unique that military cadres in autonomous sectors were also responsible for the civilian section? [...] A274: [...] this was the administrative structure in Kratie Province. [...] A276: I know only sector-level activity and of military activities at the provincial-level. Q: Did they follow military structure? A277: Yes, they did. They had the Regiments and Battalions. [...] A283: [Moeun] came from the military unit in Kratie Province”]; **D98/3.1.315** Yun Kim WRI, EN 00345194, KH 00340152, FR 00404179-80 ["Khonn was in charge of the military section and I do not remember well what role Yeng played. Most of these cadres were from the army"]].
- 3438 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.33.55-15.36.00 ["The secretaries of Sector 505, including Moeun, Khon, in hierarchical order were in the sector level”]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 10.13.38-10.15.54 ["As for Moeun, he was at the Kratie provincial level after the arrest of Yi. Moeun and Kuon came to Kratie province”]; **D98/3.1.315** Yun Kim WRI, EN 00345194, KH 00340152, FR 00404179 ["In 1978, after all the former cadres had been arrested, Moeun became the chairman”]; **D114/52** Cheang Chuo WRI, A50 ["Meas Moeun was Sector 505 Secretary”]; **D114/101** Em Sarin WRI, A2 ["Meas Moeun [was] Secretary of Kratie Sector. The position is equivalent to the present-day provincial governor”]; **D114/64** Em Sarin WRI, A259, 264 ["Moeun was [the Provincial Secretary] [...] A264: Moeun was the Secretary [of Sector 505]”].
- 3439 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.33.55-15.36.00 ["The secretaries of Sector 505, including Moeun, Khon, in hierarchical order were in the sector level”]; **D114/52** Cheang Chuo WRI, A50 ["Chhim

Khon was Sector 505 Deputy Secretary”]; **D114/102** Em Sarin WRI, A7 [“On the name list you showed me yesterday, I saw the name of Khon, who was also Kratie Sector Military”]; **D114/64** Em Sarin WRI, A264, 268, 279 [“Khon was the Sector Deputy Secretary [...] A268: Khon was in charge of military affairs. [...] A279: Whenever any military meetings occurred, Khon attended them”]; **D98/3.1.315** Yun Kim WRI, EN 00345194, KH 00340152, FR 00404179-80 [“Khonn was in charge of the military section and I do not remember well what role Yeng played. Most of these cadres were from the army”].

3440 **D114/52** Cheang Chuo WRI, A52 [“Huon Yeng was the Kratie District Secretary”]; **D114/101** Em Sarin WRI, A20 [“I know Number 10 [of Document D1.3.28.141] Huon Yeng [...] Yeng was Kratie District Secretary”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.06.21-14.08.35 [“Yeng was the district secretary of Kratie”]; **D114/171** Keo Saruon WRI, A39 [Wife of Kratie District Secretary Huon Yeng: “When I went there, he worked in [Kratie] Sector, [Kratie] District. He was on [Kratie] District committee”].

3441 **D114/52** Cheang Chuo WRI, A52 [“Chhum Chen, alias Phoan, was the Snuol District Secretary”]; **D114/101** Em Sarin WRI, A20 [“I know [...] Number 11 [of Document D1.3.28.141] Chhum Chen. For Chhum Chen, I know only the nickname Phoan [...] Phoan alias Chhum Chen was Snuol District Secretary”]; **D54/60** Moeng Vet WRI, A6 [“I was sent to Kratie Province with my uncle. My uncle, Chhum Chen alias Phoan, was the Secretary of Snuol District in Kratie Province”].

3442 **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 15.21.15-15.23.11 [“[At the time of the arrest of Ny and Phoeun], Voeun was the chief and Chhouk was the deputy chief of [Sambour] District”]; **D4.1.810** Seng Soeun WRI, A58 [“The district chief of Sambo [...] remained the same after my arrival in Sector 505. Voeun was the Sambo district committee”]; **D4.1.451** Uong Khmoeu WRI, EN 00272636, KH 00194492, FR 00705434 [“The committee of Sambaur District included Voeun [...] as chairman, and Chhouk whose role I don’t know”]; **D4.1.458** Tann Saroeun WRI, EN 00225531, KH 00196823, FR 00272775-76 [“Voeun from the Southwest Zone became chief of [the] district committee, Chhouk was a deputy”]; **D4.1.788** Sam Voeun WRI, EN 00381133, KH 00379476, FR 00426228 [Sambour District Chief describing his transfer from Kampong Speu in the West Zone (former Southwest Zone) to Kratie in early 1978. While Sam Voeun himself claims only to have been appointed Deputy Secretary of Sambour District, the other witnesses cited (including the Sector 505 office chief and Sambour commune chief) confirm that he was the District Secretary].

3443 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.44.13-09.46.25 [“The district committee, the sector committee were drawn from that division [117]”]. **Meas Moeun**: **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.19.13-09.21.09 [“[Meas Moeun] was originally from Kampot province, and when he was in Angkor Borei, he was the regiment commander. And that’s how I knew him”]; **D114/64** Em Sarin WRI, A283 [“[Moeun] came from the military unit in Kratie Province”]; **D114/101** Em Sarin WRI, A4-5, 12-13 [“I have known [Meas Moeun] since 1973. He was in Battalion 380, Regiment 11, Division 2. [...] He was from Srae Knong District, Kampot Province. Q: Why did you know him? A5: First, I came from Sector 13, Battalion 406. Later on, Battalion 406 was included under Regiment 11 [...] A12: I knew Meas Moeun when I came into the regiment [...] A13: Meas Moeun was in charge of the frontline battlefield. I was in charge of the rear battlefield. [...] we talked via radio everyday. We met in person and talked once every 10 or 15 days”]; **D114/216** Meas Im WRI, A37 [stating that his cousin, Meas Moeun was a soldier in Kratie]. **Huon Yeng**: **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 15.27.21-15.29.13 [“After the sector and district committee members were arrested at Kratie, [...] Yeng, from the military, [...] came to take the position”]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.36.00-15.38.26 [“Kratie’s secretary, to my knowledge, was Yeng [...]. He became the Secretary of Kratie after he left [Division] 117, and he was originally from Longveaek”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.25.55-09.27.05 [“[Yeng] came from Division 117, from Longveaek”]; **D59/1/3.51b** S-21 Biography of Huon Yeng, 12 Dec 1978, EN 01531794, KH 00929689 [“Position & department since entering revolution till present: - Chief of big unit (company chief) of division 1 of west zone; - Secretary of Kratie district sector 505”]; **D114/171** Keo Saruon WRI, A32-33, 37 [Wife of Kratie District Secretary Huon Yeng stating that she met Yeng in 1977 when he was a soldier in Koh Kong, before moving to Kratie with him in 1978]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753840, KH 00039332 [“Those people were from the army and just held positions in battalions. They were promoted as district secretary including [...] Yeng [...]. All of them were from Division 1 under the control of Ta Soeung”]. **Chhum Chin alias Phoan**: **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.33.55-15.36.00 [“[My uncle, Chhum Chen alias Phoan] was the Secretary of Snuol district [...] he left the army of Division 117 and went to be in charge of the district”]; **D54/62** Moeng Vet WRI, A5 [“My uncle Chhum Chen alias Phoan was the commander of a regiment of Division 117, and later he became Secretary of Snuol District, Kratie

Province. [...] My uncle and Rom were friends”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753840, KH 00059332 [“Those people were from the army and just held positions in battalions. They were promoted as district secretary including [...] Phoen, Chen of Snuol district [...] All of them were from Division 1 under the control of Ta Soeung”]; **D251.1.2** Biography of Chhum Chin alias Phoen, 12 Dec 1978, EN 01531790, KH 01531791 [“Position & department since entering revolution till present: - Previous was chief of big unit (company chief) of division 1 of west zone; - Secretary of Snuol District Sector 505”]. **Sam Voeun and his deputy, Chhouk**; **D4.1.458** Tann Saroeun WRI, EN 00225534, KH 00196826, FR 00272779 [“the Southwest troops led by Voeun, Chhouk and Van arrived here and began a purge by arresting Ny and Phoeun. [...] In order to arrest them (Ny and Phoeun), Voeun called them to attend the meeting and then made an arrest”]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.03.52-14.06.21 *confirming* **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753840, KH 00059332 [“Those people were from the army and just held positions in battalions. They were promoted as district secretary including Bang Voeun, Chhouk [...] All of them were from Division 1 under the control of Ta Soeung”]; **D4.1.788** Sam Voeun WRI, EN 00381133-34, KH 00379476-77, FR 00426228-29 [describing moving with Pet Soeung, “chief of Brigade No. 1” from the West Zone to Kratie Province, where he was appointed to the Sambour district committee].

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D114/297.1.23 Moeng Vet, T. 27 Jul 2016, 11.16.58-11.19.12 [“In 1977, the soldiers were sent to protect the border areas in a number of areas in the Eastern Zones and in other zones. Division 1 forces were divided and assigned to the 117, to Kratie, to the border area to counter the attacks by the ‘Yuon’ army [...] in Kratie there were no zone armies, there were only sector soldiers, that is, 707”]; **D54/62** Moeng Vet WRI, A3 [“Division 117 was broken away from Division 1 of the West Zone under the command of Soeung that was located at Longveaek, Kampong Chhnang at that time”]; **D114/52** Cheang Chuo WRI, A1-4, 6 [“They sent me to Kratie in 1977 with Division 117 [...] A2: Division 117 was created in late 1977 in Longveaek, perhaps in November or December 1977 [...] A3: This division was created to fight the Yuon [...] A4: In Longveaek, Division 117 was under the command of the West Zone [...] A6: When Division 117 was organised in Longveaek, it was under Ta Soeun and Chan Si”. At A30 and 37, the witness describes working with the Division 117 commanders Khun Rum and Roath Leang in Division 1]; **D114/192** Chen Phat WRI, A16 [“You said you were then moved to Kratie, can you explain how that happened and when? A16: In late 1977, the Vietnamese struck and entered the country. It was approximately November or December when we were sent there”] *confirming* **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507019, 01507025, 01507029 [“In 1977, I moved to Kratie [...] At that time, Vietnamese forces attacked us along the border; thus they mobilised all the units to be sent to attack the Yuon forces along the border. [...] the division was established at Longveaek [...] It was Division 117 [...] It was in 1977 [...] it was probably in [April]”]; **D114/190** Hor Or WRI, A18, 20-23, 27 [“Q: Do you remember which regiment and division you were in at Longveaek? A18: I knew only one commander. His name was Ta Soeung [...]. He was at division level. [...] A20: They sent me to Kratie. [...] A21: I went to Longveaek in 1977 and to Kratie in late 1978. [...] A22: I was there for a few months before I fled in 1979 [...] Q: Were all of the members of Regiment 16 who were from Phnom Penh sent to Kratie Province to fight the Vietnamese? A23: Yes, we were. [...] A27: the new division was Division 117”] *confirming* **D114/157.1.4** Hao Ao DC-Cam Statement, EN 01507103-06, KH 01197696-98 [Former West Zone Division 1 soldier describing working in Longveaek from 1975, before being mobilised, incorporated into Division 117, and sent to the Vietnamese border in Kratie in 1977. *See in particular*, EN 01507107, KH 01197699 [“I was with the new division [in Kratie]. [...] It was Division 117. Q: Was Ta Soeung’s Division divided? A: Correct”] and EN 01507109, KH 01197700 [“Q: After the Divisions were created in Longveaek, they were then sent to Snuol, Kratie? A: Yes”]; **D114/84** Ek Sophal WRI, A26 [Deputy Regiment Commander from Division 1 describing being ordered to take forces and establish a new centre division, Division 117, to fight the Vietnamese troops].

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D54/62 Moeng Vet WRI, A4 [“Division 117 was taken from the West Zone and placed under the command of the Centre”]; **D54/63** Moeng Vet WRI, A15-16 [“Division 117 was directly under the command of the General Staff, not the Zone [...] A16: The reports were sent to the General Staff”]; **D114/52** Cheang Chuo WRI, A4-5, 40 [“In Longveaek, Division 117 was under the command of the West Zone. When they sent the division to Kratie, it was under the command of the Centre. Q: Meaning that it was under the [General] Staff? A5: Yes, that is correct. [...] A40: This division’s upper echelon was the Centre, because this division was under the direct command of the Centre”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 11.20.47-11.22.14 [testifying that orders to “counter the advancements in all battlefields” were given to all divisions along the border, including Division 117, by the general staff office], 13.33.30-13.35.46 [testifying that “my division [117] would report directly to the general staff” and that “ammunition, logistics, and telegrams would be

collected directly from the general staff”], 13.40.20-13.41.56 [testifying that daily reports would be sent to the general staff and that direct instructions came from Office 870 “under certain circumstances”, “for example, the letter may have contained information that the ‘Yuon’ were fighting hard or advancing deeply. And we would prepare our forces”]; **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.41.46-09.49.05 [“The three uncles – concerning the three uncles, I would make daily reports to the general staff, and one of them had the authority to receive my reports. And usually the reports reached those three individuals, and whether or not they responded to the reports depended on them. Usually I was required to make daily reports to them. [...] We had [a] specific telegraph machine to be used for communicating messages to the general staff”]; **D114/84** Ek Sophal WRI, A26 [“Division 117 [...] was the Centre Division”]. *See also* **D114/29.1.6** Sao Sarun WRI, EN 00350263, KH 00345912, FR 00361763 [“As for the Centre Divisions, they had to report directly to the Centre”]; **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507012, KH 01197633 [“many of the soldiers were sent to join the army of the Centre in Kratie”].

3446 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.45.51-13.48.58 [“first the orders would come from M870 before they reached the general staff and for my division”].

3447 **D114/170** Prum Mon WRI, A30 [Wife of Division 117 Secretary Khun Rom: “[Khun Rom] did not stay in Kratie, he stayed in Snuol”]; **D114/190** Hor Or WRI, A30 [“Where exactly were you stationed in Kratie Province? A30: In Snuol”]; **D114/52** Cheang Chuo WRI, A23-24 [“Division 117 Headquarters was located in Kat Dai Village, approximately five or six kilometres from Snuol. [...] A24: The headquarters of my Battalion 121 was located in Ph’ak, close to Kat Dai Village. The headquarters of Regiment 15 was also near there”]; **D114/204** Suos Siyath WRI, A44 [“We were in Division 117 [...] and were stationed in Snuol District”]; **D114/191** Sao So WRI, A12-13 [“I was stationed in Snuol District. [...] A13: In Kratie, I was in Division 117”]; **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507030, KH 01197645 [stating that the Division 117 head office was located in Snuol, south of Kat Dai Village].

3448 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.31.00-13.33.30 [“There were two offices; one was at Snuol and another one was at Krakor bridge in Kratie”].

3449 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.36.00-15.38.26 [“The division commanders were Rom, Leang and Nim. They were the commanders of Division 117 [...] Rom was the commissioner, Leang was the commander and Nim was the member. So there was a group of three. Number 2, Leang. Number 1 in the hierarchy was Rom”]; **D114/52** Cheang Chuo WRI, A6, 50 [“The commander of Division 117 was Rum and his deputy was Leang. [...] A50: Roat Leang was [the] Deputy Secretary of Division 117 [...] Khun Rum was Division 117 Secretary”]; **D114/101** Em Sarin WRI, A1 [“Khun Rom [...] was the commander of Division 117”]; **D114/157.1.4** (Hor Or) Hao Ao DC-Cam Statement, EN 01507107, KH 01197699 [“Who was the chief of Division 117? A: Ta Rum and another Ta whose name I forgot”]; **D114/191** Sao So WRI, A14, 29 [“Q: Do you remember the name of the commander of Division 117 when you arrived in Kratie? A14: Sarom and Ta Lieng. [...] Q: Do you remember the name of the commander of Division 117 immediately after you arrived? A29: Ta Rom”]; **D114/204** Suos Siyath WRI, A47-48 [“Q: Immediately after you arrived there, who was the commander of Division 117? A47: Rum was. Q: Who was the deputy commander? A48: Leang was”]; **D114/192** Chen Phat WRI, A22, 25 [“Q: Who was the Division 117 commander at that time? A22: Rom [...] A25: Lieng and Rom were in charge of the defence”]; **D4.1.313** DK Military Telegram from Khun Rom, Division 117, to the General Staff, 2 Mar 1978.

3450 **D114/52** Cheang Chuo WRI, A50 [“Svay Naunh was Division 117 Office Chairman”]; **D114/230.1.1** OCIJ S-21 Prisoner List, No. 8471 [“Svay Naunh, Chief of Division 117 Office”].

3451 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.29.14-15.32.03 [confirming his position as deputy chief of the Division 117 office based close to Krakor Bridge outside Kratie town]. *See also* **D114/297.1.8** Moeng Vet WRI, A155 [“I was in the General Staff of Division 117. When I was in Kratie Province, I was in Sector 505”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992991, KH 00975731, FR 00996571 [“[The Division 117 office] was in Krakor on the north side of Kratie [town] (see Khmer version)”].

3452 **D114/52** Cheang Chuo WRI, A9 [“There were three regiments, designated 15, 16, and 17”]; **D114/191** Sao So WRI, A26 [“Q: Do you remember what regiments were under Division 117? A26: [...] They were Regiments 15, 16, and 17”]; **D114/192** Chen Phat WRI, A21 [“The regiments [subordinate to Division 117] were designated 15, 16, and 17”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992990, KH 00975729, FR 00996570 [“Q: The division [117] consisted of 3 regiments? A: Regiment 15, 16 and 17”].

3453 **D114/52** Cheang Chuo WRI, A10, 19 [“There were three battalions in Regiment 15, designated 120, 121, and 122. [...] A19: There were three battalions in Regiment 16, designated 123, 124, and 125. Regiment 17 had three battalions, designated 126, 127, and 128”].

- 3454 **D114/52** Cheang Chuo WRI, A11 [“What was the name of the commander of Regiment 15? A11: Phan. His deputy was Veng”]; **D114/192** Chen Phat WRI, A18-19 [“My regiment was the 15th, Division 117. Q: Who was your regimental commander? A19: Phan. Veng was the deputy”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992990, KH 00975729, FR 00996570 [“Q: Who was the leader of regiment 15? A: Phan”].
- 3455 **D114/52** Cheang Chuo WRI, A17 [“Q: What was the name of the commander of Regiment 16? A17: The name of the commander was Nim”]; **D114/191** Sao So WRI, A16 [“As for the regimental commander, I remember only Nim. Nim was the commander of Regiment 16”]; **D114/192** Chen Phat WRI, A21 [“the 16th [regiment] was under Nim”]; **D114/210** Vong Khan WRI, A31-32 [“They assigned me to Regiment 16 of Division 117. [...] A32: My new regiment commander was Nim and my division commander was Rom”].
- 3456 **D114/52** Cheang Chuo WRI, A21 [“Q: What was the name of the commander of Regiment 17? A21: Chhut”]; **D114/191** Sao So WRI, A16 [“Chhut was the commander of Regiment 17”]; **D114/192** Chen Phat WRI, A21 [“the 17th regiment] was under Chhut”]; **D114/204** Suos Siyath WRI, A45-46 [“Q: When you were there, you were in Division 117 and Regiment 17. Who was the commander? A45: Chhuth was. But he is deceased. Q: Who was the deputy commander? A46: Pheng was. He is also deceased”];
- 3457 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 11.27.14-11.28.45 [“For example, people from Takeo and Kampot who were assigned to Kratie”], 13.36.36-13.38.38 [“the cadres from the Southwest Zone who were sent to Sector 505 in Kratie. [...] For instance, I was moved from Takeo to Kratie”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.41.29-09.44.13 [“we were reinforced by other regiments and divisions”]; **D114/52** Cheang Chuo WRI, A6 [“Division 117 was made up of soldiers from Division 1 of the West Zone and other units”]; **D114/204** Suos Siyath WRI, A38-39 [Soldier from Koh Kong sent to Kratie in mid-1978 to fight the Vietnamese]; **D114/192** Chen Phat WRI, A8-12 [Describing his time in the Sector 31 (West Zone) military before being sent to Kratie to join Division 117]; **D114/191** Sao So WRI, A43-44 [“Q: From which sectors or zones did the 3,000 soldiers who were sent to Kratie Sector come? A43: They were from the Northwest Zone and the West Zone. [...] Some of them were also from Siem Reap, Zone 304 [...] Q: Were there any forces sent from Kampong Som and the Southwest Zone? A44: Yes, there were”]; **D114/157.1.2** Sao So DC-Cam Statement, EN 01506951, 01506953 [Soldier sent from the Northwest Zone to Division 117 in 1977 or 1978 because of the chaotic border situation], EN 01506961 [“Q: Did the soldiers, who joined Division 117 and Ta Vin’s division, come only from the East Zone or from other places? A: They did not come from the East Zone, but from everywhere. They were transferred to Kratie to join the existing forces of [Division] 801 and 920”]; **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507025, KH 01197641-42 [“I thought that the troops of Division 117 were brought from Kampong Chhnang, Takeo, Battambang, and Pursat. The troops were brought from many different places. [...] Some troops were brought from Takeo and Kampong Som because I began to know some of them when we arrived in Kratie”]; **D114/210** Vong Khan WRI, A30-32 [Soldier from Division 1 stating that he was rearmed and transferred to join Division 117 in December 1978].
- 3458 **D4.1.313** DK Military Telegram from Khun Rom, Division 117, to the General Staff, 2 Mar 1978, EN 00795287, KH 00001071, FR 00597360 [“On 27 February 1978, our unit cooperated with Sector units to plan an attack on one position of the Yuon enemy”]; **D114/101** Em Sarin WRI, A13 [Stating that in Kratie, Sector Secretary Meas Moeun “was in charge of the frontline battlefield”]. *See further* **D4.1.301** Telegram from Yi (Born Nan) to Office 870, 16 Dec 1977 [reporting on fighting between Sector 505 military forces and the Vietnamese]; **D4.1.295** Telegram Kuon (Sann Bun Hy) to Yi (Born Nan) via Office 870, 5 Nov 1977 [Report on military “situation along the Yuon border” including exchanges of fire between Sector and Vietnamese forces].
- 3459 **D114/52** Cheang Chuo WRI, A26-27 [“My battalion was deployed to the border to defend Trapeang Sbaek and Veal Koun Chhlus. We set up our base there in order to defend the border for about three or four months. [...] A27: To the north of Division 117, the units of Sector 505 were deployed along the border toward Mondulkiri. Beyond Sector 505 was Division 920. Sector 505 units were also south of Division 117. Division 117 was in the middle. Sector 21 troops were probably also to the south in Memot and Suong area”]. *See also* fns 3467-3468.
- 3460 **D4.1.313** DK Military Telegram from Khun Rom, Division 117, to the General Staff, 2 Mar 1978, EN 00795287, KH 00001071, FR 00597360 [“On 27 February 1978, our unit cooperated with Sector units to plan an attack on one position of the Yuon enemy located on National Road No. 13, one kilometer from our territory [...] Now the unit is continuing to launch storming attacks to smash the enemy near the border”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 11.07.07-11.09.28 [“When I arrived in 1977, the ‘Yuon’ army were attacking in a number of directions, and Snuol was seized by the Yuon army. [...] And based on the upper echelon instruction, 117 was sent to Kratie to counter the advancement of the ‘Yuon’ army since they

had actually advanced to the rubber plantation in the area. And the ‘Yuen’ army had invaded several fronts. We counter-attacked and they retreated [...] It took us three to four days to take back the sawmill, then we chased them back into their territory. However, by the end of 1978, they attacked us again”, 11.27.23-11.28.50 [“By the time I arrived, the ‘Yuen’ had occupied the area; however, the fighting in the area was back and forth. Sometimes, we advanced, and at other times, we retreated. [...] by early ‘78, we actually attacked them with anger and we actually entered Vietnamese territory. However, a few days later, they counterattacked and we retreated, and they recaptured the area”, 15.16.26-15.18.24 [“However, by late ‘78 ‘Yuen’ troops attacked us again and captured the entire Snuol District”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992986, KH 00975723, FR 00996564 [Division 117 soldier describing border conflict. “There was heavy fighting in 1977 when I was at Kratie province I moved to Snuol Yuen stormed up to the rubber plantation in Snuol”]; EN 00992998, KH 00975742, FR 00996564 [“Yuen stormed into the place from all directions Snuol was not yet captured Yuen captured the timber factory”]; **D114/52** Cheang Chuo WRI, A26, 29, 58 [Division 117 soldier describing border conflict: “During that time, our soldiers and Vietnamese troops fought and pushed each other back and forth. Sometimes, the Vietnamese soldiers pushed us back into our territory. At that time, I once pushed the Vietnamese from Post 54, and advanced up to ten kilometres, reaching Loc Ninh/Valleu in Sông Bé Province. [...] A29: [...] [Around November 1978] the Vietnamese soldiers fought and broke through our defence lines, so we retreated further to Preaek Chhloung. When we were at Preaek Chhloung, the Vietnamese soldiers fought us very intensely, even using helicopters to bomb us from every direction. [...] A58: [...] I knew at that at that time [October 1978] helicopters of the democratic Kampuchea army dropped bombs on the Vietnamese soldiers in Chhloung and Kantuot”]. See also **D1.3.33.1** Telegram from Ieng Sary to the President of the UN Security Council, 31 Dec 1978, EN 00081489, KH 00224424, FR 00224427 [“in Kratie province, on 25, 26, 27, 28, 29 and 30 December 1978, Vietnamese divisions N3 and 5 attacked and penetrated deeply into Kampuchean territory along national highway N7 (formerly national highway N13) just beyond the chief town of Snuol district. They are currently seeking to penetrate even more deeply into Kampuchean territory”]; **D64.1.37** FBIS, *AFP Reports Invading Vietnamese Forces near Kratie*, 7 Dec 1978, EN 00169056 [“Invading Vietnamese troops are closing in on the Cambodian Mekong town of Kratie with the apparent aim of cutting off the whole northeastern region from Phnom Penh [...] One Vietnamese column was only 80 km (52.5 miles) north of Kratie while a second column was advancing along Highway 13 from the east”, *SRV Army Units 30 miles South of Phnom Penh*, 17 Dec 1978, EN 00169105 [“Vietnamese troops [...] are attacking [...] towards Kratie”, *Forces at Front Continue to Repel Vietnamese Aggression*, 20 Dec 1978, EN 00169141 [“[Vietnamese forces] continue to strafe and shell Kampuchean territory [...] That is why our heroic guerrilla and Revolutionary Armed Forces combatants at the frontline in [...] Kratie, Route 7 [...] are unanimously determined to keep attacking and strangling the Vietnamese enemy forces”]. See also **D54/50** Meas Voeun WRI, A17 [“According to what the military forces told me, the Vietnamese troops and military forces of Division 1 attacked and pushed one another back and forth in Cambodian and Vietnamese territory, but I do not know the exact locations they attacked and entered”].

3461 **D4.1.313** DK Military Telegram from Khun Rom, Division 117, to the General Staff, 2 Mar 1978, EN 00795287, KH 00001071, FR 00597360 [“I would like to clarify that we captured one [Yuen enemy]”]; **D4.1.733** Telegram from Yi (Born Nan) to Office 870, 11 May 1977, EN 00143562, KH 00021508, FR 00623149 [reporting on arrest of 5 Vietnamese military personnel, stating that further “measures” would be taken, and assuring of investigations in collectives and the forest]; **D64.1.37** FBIS, *VOCP: Insurgents Battle Government Troops*, 25 Nov-8 Dec 1978, 15 Dec 1978, EN 00169108 [“25 November at Svay Cheat, Kratie Province, our combatant ambushed enemy commandos and reconnaissance groups. More than 200 enemy troops were killed or captured”]. See also **D4.1.408** Chhouk Rin WRI, EN 00268873, KH 00194469, FR 00268887 [“All of the Vietnamese soldiers who were captured along the border near Svay Rieng and Prey Veng Provinces were sent to Phnom Penh. [...] Democratic Kampuchea Radio broadcast information from the confessions of Vietnamese prisoners of war who had been captured in the East Zone and sent to Phnom Penh during 1977-78. I think this group was sent to Duch at S-21”].

3462 **D4.1.313** DK Military Telegram from Khun Rom, Division 117, to the General Staff, 2 Mar 1978, EN 00795287, KH 00001071, FR 00597360 [“After one-day-and-one-night, we were able to gain mastery over the position and completely smash the enemy. 2. The outcome is summarized as follows: We smashed and killed 98 Yuen enemies on the spot; the remaining six escaped to Loc Ninh; the others were completely smashed [...] we smashed 99 percent of the enemy forces”]; **D1.3.34.50** Telegram from Kuon (Sann Bun Hy) to Yi (Born Nan) through Office 870, 22 Dec 1977, EN 00183630, FR 00291041 [“250 enemies have been

smashed and injured”]; **D1.3.25.40** SWB, *Cambodia Reports Continued Vietnamese Bombing*, 28 Mar 1978, EN S 00010448, KH 00701663, FR S 00726759 [“Since 6th January 1978, when our heroic army and people drove the Vietnamese aggressors back to their soil, the expansionist, annexationist Vietnamese have unceasingly continued their activities of encroachment and provocation against Cambodian territory [...] [T]he Vietnamese enemies have continued to shell our territory from their soil and to send spies and commandoes to conduct espionage and carry out sabotage subversive and destructive activities against our people and their property. The Vietnamese enemies constantly shelled and strafed our territory. The Vietnamese enemies have also intensified their bombing of our territory in the vicinity of Route 7 – over 10 km from the border”].

3463 See, e.g., **D64.1.37** FBIS, *Forces at Front Continue to Repel Vietnamese Aggression*, 20 Dec 1978, EN 00169141 [“[Vietnamese forces] continue to strafe and shell Kampuchean territory and to send reconnaissance commandos to conduct espionage activities in our country in the most ferocious and arrogant manner”].

3464 See **D114/230.1.1** OCIJ S-21 Prisoner List, No. 9898 [Ngien Van-An Corporal-Star 1 “Vietnamese”, Arrested from Kratie, Snuol Sector 505, Entered S-21 on 21 April 1978]. A group of Vietnamese were sent to S-21 on 13 October 1978 by the “Kratie, Snuol ‘Spy Section’ in Sector 505, followed by two further Vietnamese military personnel on 9 November 1978. See **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12595-12599 (13 Oct 1978), 12645-12646 (9 Nov 1978).

3465 **D64.1.43** FBIS, *Captured SRV Soldier Admits Intrusion into Cambodia*, 11 May 1978 [“Station report on 4 May confession by SRV Sergeant (Nguyen Van An) captured on 21 April in Snuol district, Kratie sector, northeastern region”]. See **D114/230.1.1** OCIJ S-21 Prisoner List, No. 9898 [Ngien Van-An Corporal-Star 1 “Vietnamese”, Arrested from Kratie, Snuol Sector 505, Entered S-21 on 21 April 1978]

3466 See **III.2 Meas Muth’s DK Role- Deputy Secretary of the General Staff**. See also **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-13.58.19, 13.59.45-14.00.52 [“Before, [Sou Met] was Division 1 commander and Meas Muth was from Division 3. Son Sen, the minister of national defence, was transferred to somewhere else. Two of them were put in charge of the affairs of the Ministry of National Defence and Muth came to arrange our position”]; **D114/169** Seng Soeun WRI, A25 [“At that time, [Meas Muth] held both the Navy and a position called Deputy Minister of Defence acting for Son Sen. [...] Muth was Deputy and came to organize the Kratie Sector”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.48.58-13.50.21 [“I was within Division 117 and that uncle [Meas Muth] was at the general staff level. At the general staff during the DK period, Son Sen was the commander in chief, and Meas Muth, the deputy commander in chief and Sou Met was deputy commander in chief of air force”]. See further **D54/62** Moeng Vet WRI, A22-23 [“As I knew it, Meas Mut was Deputy of the Military General Staff, meaning that he was the deputy of Son Sen [...] A23: Son Sen was the commander of the General Staff; he was in overall charge of the military including the infantry. Meas Mut was the deputy of Son Sen, in charge of the navy. [...] All radio and telegraph communication had to go through the General Staff”]; **D59/1/1.8a** Prum Sarat DC-Cam Statement, EN 00974225-27, KH 00926401-03, FR 01413165-67 [Around September 1978 Meas Muth went to Phnom Penh. Meas Muth was the deputy commander-in-chief of the general staff, promoted to this position in late 1978].

3467 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.45.51-13.48.58 [“if the forces at the battlefield at Kratie had to report, the report would be submitted to Muth and the reports had to be made since he had to be informed of how many weapons or ammunition [were] needed. And then they would communicate with each other at the upper level”]; **D54/62** Moeng Vet WRI, A22, 25 [“When the Vietnamese struck us along the border, Meas Mut always went to check the situation at the front line [...] A25: From what I knew, in the name of the Deputy of the General Staff, he had to go to examine the situation locations where the disputes occurred along the border”]; **D54/63** Moeng Vet WRI, A11-17, 19 [“Meas Mut worked on the General Staff, so he had authority to order three branches of the military forces. [...] A12: [...] [In October 1978] we requested help from Meas Mut, and he told Rum to wait a bit – that afternoon he sent the aircraft to help us. [...] A13: As a messenger, I worked in the office with the telegraph operator and the commander, so I knew what happened in that office. Q: When you said that Meas Mut ordered Rum to wait, did he communicate via telegram or radio? A14: He replied back via telegram. Q: Were the reports sent from Division 117 to Meas Muth on a daily basis, or were they sent only when something happened? A15: Before the fighting, the reports were routinely sent on a daily basis, but after the fighting started, reports were sent every time anything happened. [...] A16: The reports were sent to the General Staff, not to any specific person, but we knew that a person who got the telegrams worked for someone. For example Thi and Kung were Meas Mut’s messengers. Q:

How did you know that Meas Mut was the one who told Rum in the telegram to wait for the aircraft? A17: [...] I saw the telegram. [...] A19: [...] Meas Mut began to be involved in responsibility for the eastern border in 1978 when the Vietnamese soldiers were striking strongly”; **D114/285** Prum Sarat (Bun Sarath) WRI, A224 [“When Meas Muth travelled to Kratie, the important purpose was the war along the border between Cambodia and Vietnam. The fighting was intensive”].

3468 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.10.52-09.12.21 [“The situation was chaotic when the ‘Yvon’ army were attacking us [...] Some of us had to transport ammunition to Stung Treng, since the ‘Yvon’ army was attacking us heavily in that area. Some of us were counter-attacking the ‘Yvon’ army at Preak Te (phonetic). And at that time, some of us were wounded and some had to jump into the river in order to survive”], 15.16.26-15.18.24 [“However, by late ’78 ‘Yvon’ troops attacked us again and captured the entire Snuol District, and that happened on the 11th of October ’78 when they fiercely attacked us with the support from four bombers flying overhead”]; **D54/63** Moeng Vet WRI, A2 [“The intense fighting was on 11 October 1978 [...] the Vietnamese also sent their aircraft to bombard our ammunition depot and food warehouses east of Preaek Chhloung. Later, our troops requested two aircraft to bomb Vietnamese tanks. Later two more aircraft came to once again bombard the Vietnamese troops. Two of our aircraft fled and landed in Laos, and one aircraft returned to Phnom Penh. Later one of our aircraft was shot down by the Vietnamese soldiers”]; **D4.1.458** Tann Saroeun WRI, EN 00225534, KH 00196826, FR 00272778 [“In late 1978, [...] Vietnam intensified its offensive”]; **D114/149** Touch Chhum WRI, A30 [“In late [19]78, [...] Vietnam launched offensive attacks”]; **D114/52** Cheang Chuo WRI, A28 [“Division 117 started retreating from the Cambodian-Vietnamese border in approximately October 1978 because the Vietnamese soldiers attacked and pressured us in strength”]; **D114/171** Keo Saruon WRI, A64 [Wife of Kratie District Secretary Huon Yeng: “Q: [In November or early December 1978], was there fierce fighting in that area? A64: There was fierce fighting against the Vietnamese in Snuol District”].

3469 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.41.29-09.44.13 [“we were aware at the time that [the Vietnamese] had new and more modern weapons, and they had bigger forces”]; **D114/52** Cheang Chuo WRI, A25 [“because the Vietnamese soldiers were stronger than us, we had to retreat”].

3470 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 13.38.38-13.41.29 [“in late 1978, the situation became intensified, the Vietnamese were fighting us so intensely, and we could not counter-attack the Vietnamese successfully”], 15.38.26-15.41.36 [“and at the time, ‘Yvon’ took over the whole Snuol district”]; **D54/63** Moeng Vet WRI, A2 [“Two of our aircraft fled and landed in Laos, and one aircraft returned to Phnom Penh. Later one of our aircraft was shot down by the Vietnamese soldiers”]; **D114/52** Cheang Chuo WRI, A28-30 [“Division 117 started retreating from the Cambodian-Vietnamese border in approximately October 1978 because the Vietnamese soldiers attacked and pressured us in strength. [...] A29: We retreated from the border to Snuol. We were in Snuol for about a month in order to prepare defence lines. About one month later, the Vietnamese soldiers fought and broke through our defence lines, so we retreated further to Preaek Chhloung. When we were at Preaek Chhloung, the Vietnamese soldiers fought us very intensely, even using helicopters to bomb us from every direction. [...] A30: After we withdrew from Chhloung, we went to reorganise our defence lines at Svay Chael and Tuek Pul toward Phnum Pram Poan Mountain. During that time, the purge began”]. See also **D114/167** Chhum Ya WRI, A46 [Sister of Snuol District Secretary Chhum Chen alias Phohan: Explaining that in 1982 or 1983, she had been told by Chhum Chen’s wife that he had been arrested for “not doing a good job because he let the Vietnamese enter”].

3471 Vorn Vet was arrested and sent to S-21 on 2 November 1978 (see **D114/230.1.1** OCIJ S-21 Prisoner List, No. 14514) and provided a number of ‘confessions’ implicating the Division 117 Secretary and Deputy Secretary, Khun Rum and Roath Leang and Sector 505 Secretary and Deputy Secretary, Meas Moeun and Chhim Khon. See **D4.1.28** S-21 Confession of Vorn Vet, EN 00767787, 00767791-92, 00767805, KH 00009984, 00009986-87, 00009997 (November 1978), EN 00767820, KH 00010018-19 (24 November 1978), EN 00767831, KH 00010035-36 (1 December 1978), EN 00767887, KH 00010161-62 (10 November 1978). See further **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 13.50.21-13.52.43 [“before the arrest of the 11 individuals and before the advancement of the ‘Yvon’, Vorn Vet went there [...] After the arrest of that uncle, the other 11 individuals were also arrested [...] He went to [...] examine the situation at Kratie for three days [...] around November and December; however I cannot recall the exact date. And he went to Phnom Penh and there was news that he had been arrested, and a few days later, other leaders were also arrested”].

3472 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 13.38.38-13.41.29 [“we could not counter-attack the Vietnamese successfully, so they started not trusting us, and they accused us of not fighting against the Vietnamese. [...] the senior cadres who were accused of that”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.10.52-09.12.21

["the new people that replaced them told us that our superiors were considered traitors. The situation was chaotic when the "Yuon" army were attacking us, and we no longer trusted each other"], 09.39.48-09.41.29 ["[Meas Muth] mentioned that my group did not fight hard enough against the 'Yuon', and allowed 'Yuons' to come in"]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.50.40-13.51.58 [testifying that the previous cadres in Kratie had been arrested for "being part of the traitorous network"] *confirming* **D114/169** Seng Soeun WRI, A27 ["At that time, they were arresting persons in Yuon networks"]; **D114/52** Cheang Chuo WRI, A34, 39 ["we knew that Rum and Leang had been killed because those of us in Division 117 were accused of being weak soldiers who were unable to defeat the Vietnamese. [...] they accused Division 117 of collaborating with the Yuon and because the division did not defeat the Yuon and kept retreating from the fierce attacks by the Yuon"]; **D54/63** Moeng Vet WRI, A2 ["Meas Mut was angry and said that we were not resolute in fighting the Vietnamese. Because of those events, Meas Mut had lost his trust in the division leadership and removed those 11 people"]; **D114/216** Meas Im WRI, A43 [stating that he was told that Meas Moeun had been arrested "because he could not defeat the Yuons"]; **D114/210** Vong Khan WRI, A37 [Stating that when he was transferred to Kratie in late 1978, "they no longer trusted each other. At that time, there were internal conflicts and fractures"]; **D114/167** Chhum Ya WRI, A46 [Sister of Snuol District Secretary Chhum Chen alias Phoan explaining that in 1982 or 1983, she had been told by Chhum Chen's wife that he had been arrested for "not doing a good job because he let the Vietnamese enter"]; **D114/203** Menh Noeum WRI, A12, 42 ["[The Division 117's commander's] name was Rom. He was executed. He was arrested as he was accused of treachery. [...] A42: After we lost the fight to the Vietnamese, Rom and Leang were taken away and executed"]].

3473 Meas Muth has himself admitted going to Kratie. However, inconsistent with all other evidence on the Case File, he stated that this occurred in February 1978: **D54/16/1R** Audio Recording of Interview with Meas Muth by David Kattenburg, Apr 2009, 34:37-35:28 ["I was not at Kampong Som. In February 1978 I had left Kampong Som already. Q: Where did he go? A: I was assigned to work in Kratie province near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission in Kratie"]. See **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 ["There was a reshuffle, new cadres went to replace the old ones and the old ones were sent to Phnom Penh, and after that they disappeared. That happened during the intensified situation pursued by the Vietnamese or 'Yuon'; and at the time, 'Yuon' took over the whole Snuol district. Muth went there"]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992990, KH 00975728, FR 00996569 ["It was not until 1978 that [Meas Muth] went to Kratie after Von Vet was arrested"]; **D114/52** Cheang Chuo WRI, A42 ["Q: When did Meas Muth go to Kratie Sector? A42: In light of the fact that Ta Nhan went to command Division 117 about a month before the arrival of the Vietnamese soldiers in approximately late November or early December 1978, I think that Meas Muth went there during that period"]; **D54/23** Pak Sok WRI, A8-9 ["Meas Muth was sent to Kratie because at that time the arrests of cadres surged [...] A9: He went there in late 1978 for a short period of time, approximately two weeks or half a month"]].

3474 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.43.55-15.46.20 and **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.52.20-09.54.38 [testified to seeing a letter marked 'M-870' delivered by Meas Muth's messengers, Thi and Kung, to Division 117 Commander, Rum, calling 11 individuals from Division 117 and Sector 505, to Phnom Penh and specifying details of their journey by air] *confirming* **D54/62** Moeng Vet WRI, A24, 29; **D114/52** Cheang Chuo WRI, A30-32, 40 ["During that time, the purge began. They removed my comrades-in-arms, for instance Rum and Leang. [...] They were called to a meeting in Kratie, and then they disappeared forever. [...] A31: 'They' were the Centre echelon. [...] A32: Before Rum and Leang went to the meeting in Kratie, they met with us saying that they had been called to a meeting in Kratie by the Centre. At that time, they did not call it 'the Centre': they called it '87' [...] A40: The division's upper echelon was the Centre, because this division was under the direct command of the Centre. I do not know who exactly was at the Centre, but at that time, Meas Muth came to organise Division 117"]; **D114/285** Prum Sarat WRI, A230 ["Q: Who sent Meas Muth [to Kratie]? A230: According to my knowledge, it was the General Staff who did it"]; **D114/101** Em Sarin WRI, A24-40 [Stating that he coordinated with Office 87 to make the arrangements for Yeng and Phoan to fly to Phnom Penh].

3475 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.43.55-15.46.20 and **D114/297.1.24** Moeng Vet, T. 28 Jul 2016, 09.52.20-09.54.38 [testified to seeing a letter marked 'M-870' delivered by Meas Muth's messengers, Thi and Kung, to Division 117 Commander, Rum, calling 11 individuals from Division 117 and Sector 505, to Phnom Penh and specifying details of their journey by air] *confirming* **D54/62** Moeng Vet WRI, A24, 29; **D114/169** Seng Soeun WRI, A30 ["Muth was the one who sent those arrestees to Phnom Penh by plane. [...]

I want to add for your understanding that Muth sent them by plane. Muth organized that”]; **D114/170** Prum Mon WRI, A36, 38 [Wife of Division 117 Secretary Khun Rom: “Lim told me that Ta Muth ordered to arrest my husband [...] A38: [...] My husband, Ta Moeun, Ta Leang were all arrested”]; **D114/136.2** Confession of Roath Leang, 3 Dec 1978, EN 01189375, KH 01165523 [“On 29 November 1978, Bang Muth said, “[...] When Comrade [I] arrive at Pochentong, you will meet Comrade Meth and he will tell you [the plan].” Coming with me was Comrade Naunh, the Chairperson of Division Office, and Comrade Phan, the secretary of [Regiment] 15. On 01 December 1978, *Angkar* arrested me and sent me here”]. Statements concerning circumstances of the torture victim’s arrest, especially those implicating the torturer, are not excluded by art. 15 of the CAT for a number of reasons. Art. 15 of the CAT states: “Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.” Roath Leang’s statement was not “made as a result of torture”. The information was objectively verifiable and known to the DK authorities and he did not say these things *because* he was being tortured or to please the S-21 interrogators. (*See* Case 002-**F26/12** SCC Torture Decision, para. 68 [“whether information [...] [was] obtained by torture is a matter of proof”]; Case 002-**E350/8** Trial Chamber Torture Decision, para. 49 [“The Trial Chamber considers that certain objective information contained on confessions is not part of the statement obtained through torture and therefore not covered by the exclusionary rule in Article 15 of the CAT” (*emphasis added*)]; Case 002-**E3/1555** OCIJ Torture Decision, para. 19 [“the confessions at issue in the present case contain certain information that was not obtained as a result of torture. [...] This category also includes any objective information included in the confession which exists independently of the interrogation, such as the date of the person’s arrest, [...] as well as basic biographical information such as the name, age position and/or work unit of the person subject to torture”]. Moreover, this statement directly implicates Meas Muth, who is charged with playing a role in the detention, torture and execution of RAK cadres sent to S-21, including Roath Leang who, as is clear from the annotations on an earlier confession was physically tortured (*see* **D114/136.2**, EN 01189352, KH 01165508 [Annotation: “Comrade Von tortured him for a fortnight. He finally admitted to the charge and agreed to make this document”])). Ruling such use inadmissible would be contrary to the very purpose of the CAT and would shield torturers by preventing the use of relevant evidence against them.

3476 **D114/101** Em Sarin WRI, A24-40 [Stating that he coordinated with Office 87 to make the arrangements for Yeng and Phoan to fly to Phnom Penh and confirming that Rom and Meas Moeun also travelled there by plane]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.49.38-15.58.57 and **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.25.55-09.27.05 [confirming that 11 individuals travelled by airplane to Phnom Penh]; **D114/170** Prum Mon WRI, A40 [Wife of Division 117 Secretary Khun Rom: “I only knew that they [Khun Rom, Meas Moeun and Roath Leang] were transported by plane”]; **D114/167** Chhum Ya WRI, A47-48 [Sister of Snuol District Secretary Chhum Chen alias Phoan stating that she was told by Chhum Chen’s wife that those called to Phnom Penh were transported by plane]; **D114/136.2** Confession of Roath Leang, 3 Dec 1978, EN 01189368, KH 01165518 [“On 29 November, *Angkar* invited me to meet. On 30 November, I boarded a helicopter from Kratie to Pouchentong, and I stayed a night there. In the evening on the 1st December, I was arrested by *Angkar* [and stayed here] until today].

3477 **D114/297.1.22** Moeng Vet, T. 26 July 2016, 15.43.55-15.46.20 [“I saw the letter indicated that M-870 invited them to work in Phnom Penh”]; **D114/170** Prum Mon WRI, A35 [Wife of Division 117 Secretary Khun Rom: “[Khun Rum’s messenger, Suong] told me that my husband was taken to attend a study session [...] A few days later, I was told that my husband was arrested. He was not brought to a study session”]; **D114/171** Keo Saruon WRI, A44 [Wife of Kratie District Secretary Huon Yeng: “Q: Can you tell us why and when [your husband] was arrested? A44: I do not know. I only know that he was arrested when he attended a conference”]; **D114/64** Em Sarin WRI, A285 [“They just stated that he was *taken for work*. Moeun has not been seen nor heard since then”]; **D114/190** Hor Or WRI, A32-33 [“[Lieng and Rom] went to study. I do not know where they went to study because the Khmer Rouge took some division members to study and attend meetings. Then when the Vietnamese entered, we were all separated. [...] A33: When they were called to study, I did not see them”]; **D114/191** Sao So WRI, A33 [“I only knew that [Rom and Lieng] were taken to study and later they were arrested. That is all I knew. I think that no one issued orders except Pol Pot. The leader called them to go to study”]. *See also* **D114/167** Chhum Ya WRI, A46 [Sister of Snuol District Secretary Chhum Chen alias Phoan: “They told my elder brother and sister-in-law that they were taking him to be re-educated. But my elder brother seemed to know that *Angkar* was arresting him”]; **D114/64** Em Sarin WRI, A296-297 [“I was arrested in early December 1978. I do not know why I was arrested. I was ordered to

Phnom Penh where I was to prepare the commerce section of Kratie Province. Q: Did you suspect anything when you were ordered to go to Phnom Penh? A297: No, I didn't".

3478 **D114/101** Em Sarin WRI, A18, 24, 29, 33, 40, 42 [As Sector Office Secretary, Em Sarin was in charge of arranging the transport to Phnom Penh as instructed by the Centre. He explained that Khun Rhum, Meas Moeun, Huon Yeng and Chhum Chen alias Phoan travelled on two separate Dakota aircraft "used to transport wounded soldiers to Phnom Penh" in an attempt to save fuel]; **D114/64** Em Sarin WRI, A302 [explaining that when he was called to Phnom Penh himself, the telegram from the Centre "stipulated that [he] was to fly to Phnom Penh with the wounded soldiers"]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.49.38-15.52.38 ["seriously wounded soldiers were transported by plane"]. See further **D114/137** Kong Kim WRI, A137; **D98/3.1.17** Chea Tha WRI, EN 00327177, KH 00251662, FR 00296099 [confirming wounded soldiers from Kratie were treated in a hospital near Wat Phnom in Phnom Penh]. The dates of the cadres' entry to S-21 also suggest a staggered arrest pattern. See also fns 3481-3488.

3479 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.03.52-14.10.10 [Seng Soeun witnessed Kratie District Secretary Huon Yeng and Snuol District Secretary Chhum Chen alias Phoan being "put on a plane heading for Phnom Penh." However Seng Soeun and Phoan, whom Soeun knew from his youth, "did not dare to speak to one another because Meas Muth was around"]; **D114/169** Seng Soeun WRI, A30, 40, 42, 47, 49 ["Muth was the one who sent those arrestees to Phnom Penh by plane. [...] I want to add for your understanding that Muth sent them by plane. Muth organized that [...] A40: Chen, I knew very well. Yeng, I met him when he was boarding [...] I met [Chen] before boarding the aircraft. We were about to speak, he wanted to talk to me, but Ta Muth gave us a fierce look, so we dared not speak to each other [...] A47: At that time I was called by Muth to meet him about gathering up the troops. Those two [Chen and Yang] had already been arrested and brought to the airfield [...] A49: Meas Muth came to organize and call those they wanted to board the plane"]; **D4.1.810** Seng Soeun WRI, A35-36 ["[Yeng] was put in a plane and taken away to Phnom Penh, possibly to be executed. I know because Meas Muth said those people were purged [...] A36: [Chen] was also taken to Phnom Penh to be executed. I saw when Phoan and Yeng were boarded on the plane"].

3480 **D114/169** Seng Soeun WRI, A49.

3481 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 13396 ["Meas Moeun, Secretary of Sector 505, Entered S-21 8 December 1978"] and No. 14373 [Documenting the "confession" of Meas Ket alias Moeun of "Kratie Pol Pot's Group" who entered S-21 on 8 December 1978. This is a duplicate entry]; **D1.3.28.137** S-21 Prisoner List "Special Prison", 15 Dec 1978, EN 00758336-37, KH 00086822-23, FR 00761763-64 [Meas Moeun at no. 15]; **D1.3.28.138** S-21 Prisoner List, 15 Dec 1978, EN 00789491-92, KH 00088520-21, FR 00810226-27 [Meas Moeun at No. 17]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.17.25-09.21.09 [testifying that he saw Sector 505 Secretary Meas Moeun's name was on the list from Office 870 calling cadres to Phnom Penh]; **D114/216** Meas Im WRI, A38-39 ["In 1980, I heard that Meas Moeun had been arrested in Kratie and sent to Phnom Penh. It happened when the Yuon entered Kratie. I am not sure if it was in late 1978 or 1979. That is what I was told. [...] A39: The one who told me was Toem Seng, who was the chief of my brigade"]; **D114/101** Em Sarin WRI, A15-18, 28-29, 32 [witness told by Meas Moeun he had been called to go to Phnom Penh]; **D114/170** Prum Mon WRI, A38, 42 [Wife of Division 117 Secretary Khun Rom: "My husband, Ta Moeun, Ta Leang were all arrested [...] A42: Ta Moeun, who was Ta Muth's relative, was also arrested"]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753848, KH 00059342 ["I arrived when Moeun and Khon were arrested"].

3482 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 1039 ["Chhim Khon, Deputy Secretary of Sector 505, Entered S-21 2 December 1978"]; **D1.3.28.137** S-21 Prisoner List "Special Prison", 15 Dec 1978, EN 00758336-37, KH 00086822-23, FR 00761763-64 [Chhoem Khon at no. 4]; **D1.3.28.138** S-21 Prisoner List, 15 Dec 1978, EN 00789491-92, KH 00088520-21, FR 00810226-27 [Chhoem Khon at no. 4]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753848, KH 00059342 ["I arrived when Moeun and Khon were arrested"]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.16.04-09.21.09 [testifying that he saw Sector 505 Deputy Secretary Chhim Khon's name was on the list from Office 870 calling cadres to Phnom Penh].

3483 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12903-12904 ["Huon Yeng, Secretary of Kratie District, Northeast Zone [Sector 505]" and "Chhum Chen alias Phoan, Secretary of Snuol District, Northeast Zone [Sector 505]"]. Both entered S-21 on 12 December 1978 and were executed on 31 December 1978]; **D1.3.28.146** S-21 Interrogation Log, 16 Dec 1978, EN 00789507, KH 00086832 [Nos 10 and 11]; **D251.1.2** Biography of Chhum Chen alias Phoan, 12 Dec 1978; **D59/1/3.51b** Biography of Huon Yeng, 12 Dec 1978; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.03.52-14.10.10 [Seng Soeun witnessed Kratie District

Secretary Huon Yeng and Snuol District Secretary Chhum Chen alias Phoan being “put on a plane heading for Phnom Penh.” However Seng Soeun and Phoan, whom Soeun knew from his youth, “did not dare to speak to one another because Meas Muth was around”. Seng identified Yeng and Phoan on S-21 prisoner list D1.3.28.146 (CF2: E3/1651) at EN 00789507, FR 00841431, KH 00086832, Nos 10 and 11 respectively]; **D4.1.810** Seng Soeun WRI, A35-36 [witnessed Yeng and Phoan “put in the plane” and taken away to Phnom Penh to be executed, and was told by Meas Muth that “those people were purged”]; **D114/101** Em Sarin WRI, A20-28 [organised the flight that took Yeng and Phoan to Phnom Penh]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.55.10-15.58.57 and **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.21.09-09.23.01 [testifying that he drove cadres, including Kratie District Secretary Huon Yeng and Snuol District Secretary Chhum Chen alias Phoan to the airport]; **D54/62** Moeng Vet WRI, A24, 32-33 [group of Kratie cadres ordered to Phnom Penh included his uncle, Phoan, and Yeng]; **D114/171** Keo Saruon WRI, A43-44 [Wife of Kratie District Secretary Huon Yeng stating that her husband’s messenger told her that her husband had been arrested]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.03.52-14.06.21 [“as for the secretaries of the districts who were put on the plane heading for Phnom Penh, I did not know what happened to them but they disappeared”]; **D114/167** Chhum Ya WRI, A46 [Sister of Snuol District Secretary Chhum Chen alias Phoan explaining that in 1982 or 1983, she had been told by Chhum Chen’s wife that he had been arrested for “not doing a good job because he let the Vietnamese enter”].

3484 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 4032 [“Khun Rum, Secretary of Division 117, Entered S-21 8 December 1978”]; **D1.3.28.137** S-21 Prisoner List “Special Prison”, 15 Dec 1978, EN 00758336-37, KH 00086822-23, FR 00761763-64 [Khun Rom at no. 18]; **D1.3.28.138** S-21 Prisoner List, 15 Dec 1978, EN 00789491-92, KH 00085520-21, FR 00810226-27 [Khun Rom at no. 20]; **D251.1.3** Biography of Khun Sarom, 8 Dec 1978; **D114/136.1** S-21 Confession of Khun Sarom, 12 Dec 1978. *See also* **D114/52** Cheang Chuo WRI, A2-6, 28-34 [describing purge of Division 117, including leaders Rum and Leang, after its forces were forced to retreat by the Vietnamese army in October 1978]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.52.38-15.55.10 and **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.21.09-09.24.07 [confirming that Khun Rum was on the flight from Kratie to Phnom Penh]; **D54/62** Moeng Vet WRI, A24, 29 [letter from Office 870 ordering Rom to Phnom Penh was delivered by messengers of Meas Muth]; **D114/170** Prum Mon WRI, A19-21, 32-40 [Wife of Division 117 Secretary Khun Rom stating that Khun Rum’s arrest was ordered by Meas Muth, and confirming that “[m]y husband, Ta Moeun, Ta Leang were all arrested”]; **D114/191** Sao So WRI, A32 [“At that time, Ta Rom and Ta Lieng were arrested and taken away”]; **D114/192** Chen Phat WRI, A27-29 [Stating that in late 1978, Lieng and Rom were summoned to Phnom Penh by *Angkar*]; **D114/52** Cheang Chuo WRI, A34 [“When the new leaders arrived, they announced their arrival and said that Rum and Leang had been transferred to other places. However, those of us in Division 117 did not believe that, and we knew that Rum and Leang had been killed”]; **D114/203** Menh Noeum WRI, A12, 42 [“[The Division 117’s commander’s] name was Rom. He was executed. He was arrested as he was accused of treachery. At that time, I did not know where he was sent. He disappeared. [...] A42: After we lost the fight to the Vietnamese, Rom and Leang were taken away and executed”].

3485 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 7862 [“Roath Leang, Deputy Secretary of Division 117, Entered S-21 1 December 1978”]; **D1.3.28.137** S-21 Prisoner List, 15 Dec 1978, EN 00758336-37, KH 00086822-23, FR 00761763-64 [Roath Leang at no. 8]; **D1.3.28.138** S-21 Prisoner List, 15 Dec 1978, EN 00789491-92, KH 00085520-21, FR 00810226-27 [Roath Leang at no. 9]; **D251.1.1** S-21 Biography of Roath Leang, 1 Dec 1978; **D114/136.2** S-21 Confession of Roath Leang, 17 Dec 1978; **D114/164** Men Theary WRI, A11-13 [Roath Leang’s niece (her mother is Roath Leang’s elder sister) explaining that her grandmother told her that Muth had killed her uncle Leang]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.52.38-15.55.10 [“Leang went first, one or two days before Rom”], 15.56.30-15.58.57 [“Leang went to Phnom Penh first”].

3486 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 8471 [“Svay Naunh, Chief of Division 117 Office, Entered S-21 1 December 1978”]; **D1.3.28.137**, S-21 Prisoner List “Special Prison”, 15 Dec 1978, EN 00758336-37, KH 00086822-23, FR 00761763-64 [Svay Naunh at no. 6]; **D1.3.28.138** S-21 Prisoner List, 15 Dec 1978, EN 00789491-92, KH 00085520-21, FR 00810226-27 [Svay Naunh at no. 7]; **D114/145.1.12** S-21 Confession of Svay Naunh. *See also* **D114/136.2** Confession of Roath Leang, 3 Dec 1978, EN 01189375, KH 01165523 [“On 29 November 1978, Bang Muth said, ‘[...] When Comrade [I] arrive at Pochentong, you will meet Comrade Meth and he will tell you [the plan].’ Coming with me was Comrade Naunh, the Chairperson of Division Office”].

3487 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 3979 [“Kel Sophan alias Phan, Secretary of Regiment 15, Division 117 (Secretary of Regiment 15, Central Division 117), North Zone, Entered S-21 14 December

1978, Executed 31 December 1978”]; **D1.3.28.141** S-21 Interrogation Log, 8 Dec 1978, EN 00789707-08, KH 00086766, FR 00834853-54 [at no. 5]; **D1.3.28.146** S-21 Interrogation Log, 16 Dec 1978, EN 00789505, KH 00086831, FR 00841429 [at no. 5]; **D1.3.28.144** S-21 Prisoner List, EN 01305703, KH 00040057 [North Zone Section, no. 5]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992993-95, KH 00975733-38, FR 00996575-77 [stating that cadres who were arrested and sent by plane to Phnom Penh included Regiment Commander Phan]. *See also* **D114/136.2** Confession of Roath Leang, 3 Dec 1978, EN 01189375, KH 01165523 [“On 29 November 1978, Bang Muth said, “[...] When Comrade [I] arrive at Pochentong, you will meet Comrade Meth and he will tell you [the plan].” Coming with me was [...] Comrade Phan, the secretary of [Regiment] 15”].

3488 **D114/230.1.1** OCIJ S-21 Prisoner List, No. 893 [“Chap Hoeun, Secretary of Regiment 81, Division 117 in Central Zone, North Zone or Central Zone, Entered S-21 9 December 1978, Executed 31 December 1978”]; **D1.3.28.141** S-21 Interrogation Log, 8 Dec 1978, EN 00789707-08, KH 00086766, FR 00834853-54 [Chab Hoeun at North Zone Section no. 2; By Vy at North Zone Section no. 3]; **D1.3.28.146** S-21 Interrogation Log, 16 Dec 1978, EN 00789505, KH 00086831, FR 00841429 [at no. 2]; **D1.3.28.144** S-21 Prisoner List, EN 01305703 [North Zone Section, no. 2]. *See further*, **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 and **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992994-95, KH 00975736-37, FR 00996575-77 [stating that four cadres who were arrested and sent by plane to Phnom Penh were regimental commanders, of which he could name only Regiment 15 commander, Phan]. The ICP notes that Regiments 81 and 82 do not appear to have been Division 117 regiments, and there may be an error in the S-21 notes in either the Regiment or Division number.

3489 *See* para. 858.

3490 *See* para. 855.

3491 Sector 505 Secretary Meas Moeun and Division 117 Commander Khun Rom travelled on the same plane to Phnom Penh (*see* **D114/101** Em Sarin WRI, A29 [“As I know it, Rom and Meas Moeun took the same plane, while Yeng and Phoan took another plane. On both flights, there were different cargos, soldiers and wounded soldiers, but I remember that there were only two cadres on the plane”]) and entered S-21 together on 8 December 1978 (**D114/230.1.1** OCIJ S-21 Prisoner List, Nos 4032 [Khun Rum] and 13396 [Meas Moeun]).

3492 **D114/216** Meas Im WRI, A35-36 [Meas Muth’s brother: “I have a cousin named Moeun, who worked as a soldier in Kratie [...] A36: He is a son of my uncle. My uncle is my father’s brother. My father’s name is Meas Eim]; **D114/170** Prum Mon WRI, A42 [Wife of Division 117 Secretary Khun Rom: “Q: Did you know if other relatives of Ta Muth were also arrested? A42: Yes, I did. Ta Moeun, who was Ta Muth’s relative, was also arrested. Ta Moeun was an uncle of my husband”]; **D114/52** Cheang Chuo WRI, A50 [“I want to clarify to you that [...] Meas Moeun and [...] Khun Rum were Meas Muth’s nephews”]; **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507028, KH 01197644 [“Rum was from Takeo because he was Ta Muth’s nephew”]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00993000, KH 00975746, FR 00996586 [“Q: Rom wasn’t his nephew? A: He said his nephew was also a traitor”]. *See further* **D54/63** Moeng Vet WRI, A2 [“Even though all 11 people sent to Phnom Penh were his relatives, he had no faith in them”].

3493 **D114/169** Seng Soeun WRI, A23. *See further* **D114/169** Seng Soeun WRI, A25 [“Muth was Deputy [Minister of Defense] and came to organize the Kratie Sector”]; **D114/52** Cheang Chuo WRI, A40-41, 54 [“Meas Muth came to organise Division 117 and assigned Ta Nhan commander of Division 117, so I thought that Meas Muth was the representative from the Centre. Q: How do you know that Meas Muth assigned Ta Nhan to serve as commander of Division 117? A41: I learned that through the new commander, Ta Nhan. Ta Nhan said, ‘Brother Meas Muth has come to Kratie to reorganise Division 117.’ [...] A54: At that time, Ta Nhan held a meeting telling lower-echelon cadres that Meas Muth had come from Phnom Penh to reorganise the division, meaning that Ta Muth represented the Central Committee”]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 [“There was a reshuffle, new cadres went to replace the old ones and the old ones were sent to Phnom Penh, and after that they disappeared. [...] Muth went there”].

3494 *See further* **D114/51** Cheang Chuo WRI, A1 [“You told us that the Centre assigned and facilitated the deployment of Meas Muth to control that area. You learned this at a regimental-level meeting when they announced that Brother Muth had come there to control the area. Q: At the moment, after taking an oath, do you consider the summary we have described as accurate according to the conversation we had yesterday? A1: Yes, it is accurate”].

3495 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.35.51-09.41.29 [Describing a meeting of around 70 people, including soldiers from the Division, as well as “drivers, messengers and other staff, people from the hospital” where Meas Muth announced that “all our leaders were traitors” and that “commanders of divisions

had to be replaced with the new ones". "Meas Muth mentioned that my group did not fight hard enough against the 'Yuon', and allowed 'Yuons' to come in"; **D54/63** Moeng Vet WRI, A2 ["Before Meas Mut walked into the meeting, he [told] the messenger, and the other soldiers outside the meeting that 'Your leaders are all traitors'"]; **D54/60.2** Moeng Vet DC-Cam Statement, EN 00992993-94, 00993000-01, KH 00975735, 00975745-46, FR 00996575, 00996585 [describing meeting in which Meas Muth "announced the traitors" and assigned cadres to "fight the Yuon"]].

D54/63 Moeng Vet WRI, A2 ["Meas Mut was angry and said that we were not resolute in fighting the Vietnamese. Because of those events, Meas Mut had lost his trust in the division leadership and removed those 11 people"]].

D114/297.1.23 Moeng Vet, T. 27 Jul 2016, 09.38.19-09.39.48 ["[Meas Muth] convened the meeting among everyone from the office. The meeting was to declare that leaders of -- commanders of divisions had to be replaced with the new ones. [...] for example, Nhan would replace the old divisional commander"]; **D54/63** Moeng Vet WRI, A1 ["I attended only one meeting with Meas Mut, in which he announced the changing of division leadership"]. See further **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.07.46-09.12.21 [confirming that all those who were sent from Kratie to Phnom Penh disappeared, never to return; "they were replaced by new members at the regiment and division levels, as well as two new committee members at the sector level"]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 ["There was a reshuffle, new cadres went to replace the old ones and the old ones were sent to Phnom Penh, and after that they disappeared. [...] Muth went there"]; **D114/102** Em Sarin WRI, A22 ["Nhan, Ti, and Pak were high-level cadres. They came to replace persons in Kratie Sector [...] I saw them at Kratie before I went to Phnom Penh"]. See also fns 3499, 3501.

See **IV. Division 164 (Former Division 3) Authority Structure – Composition and Role of Regiments 161, 162, 163 and of the Navy (Regiment 140) - a) Regiment 161 (formerly Regiment 20)**.

D114/297.1.27 Seng Soeun, T. 29 Aug 2016, 13.46.29-13.50.40, 13.51.58-13.57.20 ["Pheap (phonetic) was promoted to the secretary of the sector. Pheap (phonetic) came from the navy with Muth [...] When we arrived there, we were called to a meeting [...] At the meeting, Meas Muth made the announcement that Pheap (phonetic) was the secretary of the sector"]; **D4.1.810** Seng Soeun WRI, A32 ["Sok Pheap was the committee chief of Sector 505 while I was the chief of sector office"]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753837, KH 00059329 ["Sok Pheap and Sao Phon became secretary and deputy secretary, respectively"]; **D54/62** Moeng Vet WRI, A24 ["I learned that through a regiment of the navy that was under the command of Pheap who came to help my Division 117. At that time, a sweeping clean was being conducted. When Pheap came along with his regiment, he was promoted to Sector 505 Secretary, because at that time Moeun had already been arrested"] A26-27: ["The regiment of Pheap was a special force of Meas Mut" who arrived in Kratie "probably at the end of November, 1978"].

See **IV. Division 164 (Former Division 3) Authority Structure – Composition and Role of Regiments 161, 162, 163 and of the Navy (Regiment 140) - c) Regiment 163 (formerly Regiment 22)**.

D114/297.1.23 Moeng Vet, T. 27 Jul 2016, 09.35.51-09.41.29 [Describing the meeting in Kratie where Meas Muth announced that the old leaders "were considered traitors" and that "commanders of divisions had to be replaced with the new ones". Meas Muth told the meeting that Nhan would replace the old divisional commander]; **D54/63** Moeng Vet WRI, A1-3 [Stating that in the meeting, Meas Mut "announced the changing of division leadership" saying, "Nhan will replace Rum in Division 117"]; **D114/52** Cheang Chuo WRI, A40-41 ["Meas Muth came to organise Division 117 and assigned Ta Nhan commander of Division 117 [...] A41: I learned that through the new commander, Ta Nhan. Ta Nhan said, 'Brother Meas Muth has come to Kratie to reorganise Division 117'"]; **D54/110** Lon Seng WRI, A5-6 ["Nhann was one of the people who went to Kratie with Meas Muth. [...] A6: Meas Mut brought with him some people like Nhann, commander of the special unit and other commanders he trusted. I know that these people went to Kratie because during a meeting my commander made an announcement to us regarding names of leaders and where they would go"]; **D114/52** Cheang Chuo WRI, A35 ["Ta Nhan came to take charge of Division 117"]; **D114/157.1.3** Chen Phat DC-Cam Statement, EN 01507038-39, KH 01197651 ["At that time, Uncle Nhan was sent to replace [Rum and Leang] [...] He went there to replace them, taking charge of the division"]; **D114/203** Menh Noeum WRI, A44 ["Q: Did you ever know Nhan after the arrest of Rom? A44: Yes I did. He was also the chief of the division [117]"]; **D114/102** Em Sarin WRI, A25 [positively identifying D114/18.1, a photo of Kim Nhan as the Nhan who was in Kratie in 1978]. See also **D114/191** Sao So WRI, A46 [Confirming seeing Nhan in Kratie in December 1978]; **D114/18** Mak Chhoeun (Ma Chhoeun) WRI, A16-17 [Former subordinate of Nhan in Kampong Som stating that he stopped reporting to him "shortly

before the Vietnamese arrived” “because Ta Nhan was sent away [...] to fight against the Vietnamese at the border”].

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D54/110 Lon Seng WRI, A6-7 [“Meas Mut brought with him some people like Nham, commander of the special unit and other commanders he trusted. I know that these people went to Kratie because during a meeting my commander made an announcement to us regarding names of leaders and where they would go. Q: Did you know how many soldiers went to Kratie with Meas Mut? A7: Most of the land army under the navy, except those who were in charge of the ships, was sent to Kratie with Ta Mut”]; **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.38.26-15.41.36 [“[Meas Muth] came from Kampong Som together with soldiers of a regiment, and he gave those soldiers to Pheap [...] I knew that his army was based at Kou Loab near Sambok mountain”]; **D54/63** Moeng Vet WRI, A21, 23-24 [“Q: How many military units did the Centre deploy in Kratie Province at that time? A: Initially there was Division 117; later one regiment from Division 164 was deployed there [...] Q: When Meas Muth went to Kratie, where did he stay? A23: I did not know, but generally he stayed at Kou Loab Village where the regiment of Division 164 was deployed. [...] A24: The regiment was stationed there until the Vietnamese soldiers struck hard in December 1978”]; **D54/62** Moeng Vet WRI, A27 [“The regiment of Pheap was a special force of Meas Mut”]; **D114/191** Sao So WRI, A44 [“I knew that the division from Kampong Som were with Meas Muth [...] They came to help Division 117 who had not been victorious”]; **D114/52** Cheang Chuo WRI, A56 [“I just know that soldiers went with Ta Nhan [to Kratie]”]; **D54/98** Heang Ret WRI, A36 [“Division 164 had to send some forces to help the forces who were stationed along the border. At that time, Meas Muth led more than half of the military forces from Regiments 61, 62, and 63 to fight the Vietnamese at the border [...] he went to the border around October 1978”]; **D114/285** Prum Sarat WRI, A226 [confirming that Meas Muth took Division 164 troops with him to Kratie]; **D54/50** Meas Voeun, A4 [Division 1 commander stating that Division 164 troops, “personally commanded by Ta Mut” were stationed along the Vietnamese border as “the rear defense line” and describing incidents occurring between Division 1 and Division 164 “in November or December 1978”]. *See further* **D54/63** Moeng Vet WRI, A32 [Recalling that Touch, Nhan’s messenger, Vai, a telegram decoder and Kha, a telegram typist were among the Division 164 personnel sent to Kratie]. Soldiers were also drafted in from elsewhere and placed under Nhan’s command: **D114/149** Touch Chhum WRI, A1-71 [describing being sent by Sou Met to Kratie to fight the Vietnamese. Met told him (A13) “to cooperate with Unit 164 that was under the direct supervision of Nhan”. While there, he reported to Nhan. Although he does not clearly remember the date of his transfer, it is most likely he moved there in November 1978. *See* **D59/2/2.18a** Touch Chhum DC-Cam Statement, EN 01333949, KH 00736737, FR 01432261 [“I was sent to the border in November 1978”].

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D54/50 Meas Voeun WRI, A4-17 [Division 1 commander heard from Division 1 troops who had withdrawn from fighting at the Vietnamese border that they had been “chased and attacked by the military forces of [...] Division 164” under Meas Muth. He explained that “Division 1 was unable to counter the Vietnamese troops, and Division 1 was attacked by Division 164 because we were accused of being non-patriotic, non-resolute and not strongly committed”. “When the Vietnamese troops strongly attacked the defence line of Division 1, some of the military forces of Division 1 withdraw. When the Division 164 saw the military forces of Division 1 withdrawing, they fired and shelled the retreating troops.” “When the frontline defense soldiers withdrew, this Centre unit would arrest or shoot them because they did not want us to retreat from the battlefield.” “As far as I know, 3 or 4 of them were wounded and 4 or 5 of them were killed, but some died of drowning while they were swimming across the river during the shooting from the rear by Division 164”].

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D4.1.849 Khum Kim WRI, A5 [describing meeting with Nuon Chea in 1977 in which he announced that the Vietnamese invasion into Cambodia was “caused by the enemy burrowing from within the Khmer Rouge army and administration that cooperated with the Vietnamese”, adding that those in the army “must try [their] best to protect [DK] territory”, and that if they “lost an inch of land” they were “traitors”]; **D4.1.791** Chum Cheat WRI, EN 00398840, KH 00389517, FR 00422233 [“At that time, they issued a strict regulation that we must not have been defeated in the fighting, or if we were defeated, we needed to have clear reasons; generally speaking, we were not allowed to withdraw; if we withdrew, we had to have a reason”]; **D32/4** Sin Sophal WRI, A57 [“when East Zone soldiers and cadres retreated from the battlefield, the Central Zone military would just be waiting there to arrest and kill them there”].

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D114/297.1.27 Seng Soeun, T. 29 Aug 2016, 09.28.28-09.29.45 [“I worked in the administrative section of the S’ang district office [Southwest Zone]. And later on, I was transferred to Kratie province and I was there for less than a month. Then the ‘Yvon’ groups attacked Cambodia”], 10.07.40-10.09.02 [“Sao Phon, the district committee [in S’ang]”], 10.12.29-10.14.35 [“Phon (phonetic), myself, and two other individuals from S’ang district were transferred to Kratie province.”], 13.46.29-13.50.40 [“Four of us were sent by Phon

(phonetic) to Kratie”], just above 13.55.39 [“we went [to Kratie] by plane”]; **D114/102** Em Sarin WRI, A22 [“Nhan, Ti, and Pak were high-level cadres. They came to replace persons in Kratie Sector [...] They came in a group of five persons, and I saw them at Kratie before I went to Phnom Penh”]; **D4.1.810** Seng Soeun WRI, A27 [“When we flew from Phnom Penh to Kratie [...] Five people were in the plane: Sao Phon, Leng Pak, Seng Soeun (myself), San and Khon”]; **D54/62** Moeng Vet WRI, A35 [“Those five persons [Sao Phon, Leng Pak, Seng Soeun, San, and Khon] came from Phnom Penh by aeroplane at the same time those 11 people went to Phnom Penh. Those five persons came to replace the 11 persons”]; **D114/101** Em Sarin WRI, A48 [“Phon was mostly called Ti. I knew Ti. I also knew Pak, Soeun, and Kab. I do not know San and Khon. [...] They came together to meet me at the Kratie District office and asked about the situation, because at that time the Vietnamese were pounding us hard”].

3506 **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.09.25-09.10.52 [“Phon alias Ti, from the sector, was sent to be deputy chief of Sector 505”]; **D4.1.810** Seng Soeun WRI, A29 [“Sao Phon [was appointed] as the deputy sector committee”]. *See further* **D114/102** Em Sarin WRI, A22 [stating that Nhan, Ti and Pak were high-level cadres sent to Kratie to replace those who had been purged].

3507 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 15.43.55-15.46.20 [“Pakk (phonetic), the Kratie district committee replaced Yeng”]; **D4.1.810** Seng Soeun WRI, A58 [“Leng Pak replaced Yeng”]. *See further* **D114/102** Em Sarin WRI, A22 [stating that Nhan, Ti and Pak were high-level cadres sent to Kratie to replace those who had been purged].

3508 **D4.1.810** Seng Soeun WRI, A29 [“San [was appointed] as the army chief of Kratie District”].

3509 **D4.1.810** Seng Soeun WRI, A29 [“Khon [became] responsible for agriculture of the Sector”].

3510 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.46.29-13.50.40 [“I was promoted to be in charge of the sector office”]; **D4.1.810** Seng Soeun WRI, A29 [“I was appointed as the sector office chief”].

3511 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.51.58-13.57.20 [Testifying that the five new appointees from the Southwest Zone were called to a meeting with Meas Muth upon arrival]; **D114/169** Seng Soeun WRI, A19 [“Q: Did Muth come to meet you at the aircraft, or did you meet him at his house? A19: At the Sector Office. He came to meet us at night: he had been on the battlefield”].

3512 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.46.29-13.58.19 [Stating that Meas Muth “came to arrange [their] positions in Kratie”. When the witness arrived in Kratie with the other replacement cadres, they handed their biographies over to Meas Muth who “presided over the announcements of the promotion [...] on behalf of Pol Pot”. Meas Muth personally decided to place Seng Soeun in charge of the Sector 505 office]; **D4.1.810** Seng Soeun WRI, A27 [“letter stated that Meas Muth was in charge of assigning the above-mentioned people to the new appointments”], A31 [stating that Meas Muth was “sent to Kratie earlier to arrange our new appointments”]; **D114/169** Seng Soeun WRI, A20 [“I first met [Meas Muth] when we handed over the letter of assignment at the Kratie Sector Office. We came to meet him, and he announced the assignments”]; **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753838, KH 00059330 [“[Meas Muth] came to assign me when I arrived on 5 December 1978”].

3513 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-13.58.19, 13.59.45-14.00.52 [testifying to Muth working in the Sector 505 office with him]; **D114/169** Seng Soeun WRI, A24 [“Phon, Pheap, and Muth were together and slept together there. Each had their own bodyguard, but they all gathered together there”]; **D54/63** Moeng Vet WRI, A23 [“Q: When Meas Muth went to Kratie, where did he stay? A23: I did not know, but generally he stayed at Kou Loab Village where the regiment of Division 164 was deployed”].

3514 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.55.39-13.58.19, 13.59.45-14.00.52 [testifying to hearing Muth in the Sector 505 office reporting to Sou Met]; **D54/63** Moeng Vet WRI, A10-11 [“The next day I saw Nhan get a telegram stating that Meas Mut had arrived in Phnom Penh [...] A11: Meas Mut worked on the General Staff”].

3515 **D54/16/1R** Audio Recording of Interview with Meas Muth by David Kattenburg, Apr 2009, 34:37-35:28 [“I was assigned to work in Kratie province near the Lao border. Q: So he left Division 164 entirely in February 1978? A: No, I still had my position but I was assigned for another mission in Kratie”]; **D54/87** Prum Sarat WRI, A171-172 [“Q: You stated at the beginning that Meas Mut went to Memot District at the end of 1978 on orders from Son Sen. Did Meas Mut still have the authority to govern the province of Kampong Som when he went to Memot District? A171: With regard to his work, he still had influence and authority -- he was not yet separated from Kampong Som. Q: How did you know this? A172: I knew that via communication radio”]; **D54/99.1** Lay Bunhak DC-Cam Statement, EN 01115988, KH 00990786-87 [“Q: Did Ta Muth control Kampong Som until 1979? A: Yes, he did. He was removed at the end of 1978. Later on he became the Deputy Chief of the General Staff. In 1979, he returned to his original unit. Q: He was in Phnom Penh

when he became the Deputy Chief of the General Staff. Did he still have power to give orders? A: No, he didn't. Another Deputy Commander of the Division took over from him. Q: Who was that person? A: He was H.E. Tim Seng. [...] Q: From whom did he receive orders? A: He received military assignments from Ta Muth. Q: But as for other work, did he still report directly to Ta Muth? A: Yes, he did. The person who received orders directly from the higher levels would have to make the reports"; **D54/23** Pak Sok WRI, A1 ["Meas Mut was chairman of Division 164 from 1975 to 1979"]; **D114/181** Sem Kol WRI, A11 ["Q: For how long were you in the unit under the command of Meas Muth? A11: It was for a long time; until 1979. He commanded the naval forces at sea until 1979"]; **D59/1/1.11a** Heang (Hieng) Ret DC-Cam Statement, EN 00974098, KH 00926542-43 ["Q: Who else was in charge of the regiment [140]? A: Tim Seng [...] Initially, he was responsible for the marines, but, later, he was put in charge of Division 164 while Meas Mut became a commander in Phnom Penh"], EN 00974119, KH 00926561 ["Q: So, when was Ta Mut transferred to Phnom Penh? A: Probably in 1977. Q: So, was he in Phnom Penh for a long time too? A: Yes, he was. Q: For how long was he there before the liberation? A: He had been there for more than a year. After he escaped from Phnom Penh in 1979, he ordered the withdrawal of troops from Kampong Som. Q: So, was he still in command even though he was in Phnom Penh? A: He was still influential. Q: So, was he still in charge of Division 164 or what? A: Yes, he was in charge of the navy"].

3516 **D54/60.2** Moeng Vet DC-Cam Statement, EN 00993000, KH 00975745, FR 00996585 ["Q: Only Meas Mut [was a superior]? A: Yes"]; **D54/110** Lon Seng WRI, A1-2 ["Sao Phon was a former commander of a special unit under Meas Mut. His nickname was Phon Morn Chae. [...] A2: After 1979, Khon came with some soldiers from Kratie Province"].

3517 Sector 505 officials: **D54/62** Moeng Vet WRI, A26 ["The regiment of Pheap was a special force of Meas Mut"]; **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 10.58.45-11.00.50, 13.37.25-14.03.52 ["I travelled to somewhere only when the Vietnamese entered the country and Meas Muth ordered me to gather the soldiers [...] I received an order from Muth to gather forces who were fleeing from the Cambodian-Vietnamese border area at the time"] *confirmed in* **D114/297.1.28** Seng Soeun, T. 30 Aug 2016, 09.04.50-09.06.50 ["When I arrived in Kratie province [...] my sole task at the time was – with instructions from Meas Muth was to gather forces who fled from the Cambodian-Vietnamese border area, that is, from Snuol"]. Division 117 soldiers, including Nhan: **D54/63** Moeng Vet WRI, A10-11 ["The next day I saw Nhan get a telegram stating that Meas Mut had arrived in Phnom Penh [...] A11: Meas Mut worked on the General Staff, so he had the authority to order three branches of the military forces"]; **D54/62** Moeng Vet WRI, A30 ["Meas Mut told them [...] 'So the more senior soldiers go fight the Yuon. As for the little ones, transport supplies to Stung Treng'"]. *See further*, **D54/60.2** Moeng Vet DC-Cam Statement, EN 00993000, KH 00251440, FR 00996585 ["He told the superior to fight against Yuon [Vietnamese], including Ta Nhann"].

3518 **D114/169** Seng Soeun WRI, A23.

3519 **D114/52** Cheang Chuo WRI, A34 ["Later, some regiment and battalion commanders were also called away and disappeared forever. At that time, some regiment and battalion commanders fled and abandoned their units because they were afraid of being arrested and killed"]; **D114/75** Sin Sisopha WRI, A153-165 [witnessed the removal and arrest of battalion commanders in Kratie in December 1978 by "soldiers from the Southwest Zone". These lower-ranked cadres were "accused of betrayal because all their commanders had been arrested". The witness named Pin, Sophy and Diran whom he saw being "thrown into a vehicle like a pig"]; **D98/3.1.316** Yun Kim, T. 19 Jun 2012, 15.52.09-15.59.01 [The witness was shown D1.3.28.146 (CF2: E3/1651), the S-21 Prisoner List containing the names of the 22 individuals from Sector 505 who arrived at S-21 on 27 December 1978. He confirmed recognising the name of 'Sambat from Sambok commune.' Q: Do you recall hearing, in late 1978, that a number of commune and cooperative chiefs in Kratie had been arrested? Do you recall that? A: I heard about the arrest of the Sector Committee. Then many people were also arrested at Thma Kreae village, at the Sambok commune, and at other communes as well"]; **D114/193** Sao Sarun WRI, A64 [Heard from others that "[Nhan] was from the naval division and had come to Kratie to carry out arrests"] *confirming* **D4.1.444** Sao Sarun WRI, EN 00278696-97, FR 00486012, KH 00251440 ["Nhan, former chief of the marine Division at Kampong Som, travelled to Kratie and I heard from other people that Angkar had his group come and arrest the civilians and military"].

3520 **D59/2/4.16a** Seng Soeun DC-Cam Statement, EN 00753848-49, KH 00059342 ["I arrived when Moeun and Khon were arrested and Oeung was still there. He was like a deputy of military and became chairman of military in the Sector after the two [Moeun and Khon] were arrested. [...] Oeung was in charge of the army"]; **D54/62** Moeng Vet WRI, A12 ["A commander of sector regiment named Oeung and the military commander of Snuol District named Kren attended [Moeng Vet's admission ceremony]"].

- 3521 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.17.50-14.19.31 [Testifying that “Meas Muth himself who ordered his messenger to kill Mav Oeung”, a former classmate of the witness from his native village. Meas Muth told the witness personally that “he already solved the matter”]; **D114/169** Seng Soeun WRI, A27-30 [Stating that two or three days after he arrived in Kratie, Meas Muth “ordered the immediate execution of Oeung”. Muth called the witness to his office to tell him “‘I already gave the order to solve/sort out Oeung.’” The witness explained that “Muth did not do it by himself: his bodyguard fired the shot”].
- 3522 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 14.17.50-14.19.31.
- 3523 **D114/64** Em Sarin WRI, A266-267 [confirming his position as Provincial Office Secretary].
- 3524 **D114/204** Suos Siyath WRI, A45-46 [“Q: When you were there, you were in Division 117 and Regiment 17. Who was the commander? A45: Chhuth was. But he is deceased. Q: Who was the deputy commander? A46: Pheng was. He is also deceased”].
- 3525 **D114/102** Em Sarin WRI, A7, 30 [describing receiving an order to go to Phnom Penh to work signed by Ti on behalf of the Centre. The witness was sent on a plane together with Pheng “from the military side”].
- 3526 **D114/102** Em Sarin WRI, A32-38 [describing his detention at Pochentong Market by Division 502 “to await their decision on what they were going to do with us”. He explained “[t]here were always guards in front of and behind the house where they detained us”].
- 3527 **D4.1.458** Tann Saroeun WRI, EN 00225534, KH 00196826, FR 00272779 [“there were a few prisoners arrested from cooperatives. In some cases, the villagers escaped from one place to another. They said that Vietnamese fought into their villages. Those villagers were arrested for interrogation to check whether an allegation was correct. They were suspected of saying something to stir up. They fled from their villages inside sector 505”].
- 3528 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 12905 [Pin Yim, Chief of Thmei Commune, Kratie District, Sector 505], 12906 [Bien Lun, People in Tumnuop Cooperative, Anchanh Commune, Sector 505], 12907 [Sek Norn, Chief of Tending Cattle in Sambok Cooperative, Kratie District, Sector 505], 12908 [Moeng Soeng alias Sen, People of Pig Raising [Animal Raising] in Sre Roneam Cooperative, Sector 505], 12909 [Hang Hon, People in Krasaing Cooperative, Kratie District, Sector 505], 12910 [Yim Yorn, Member of Platoon in Snuol Rubber Plantation, Sector 505], 12911 [Yav Pho, Deputy Chief of Platoon in Treap Cooperative, Sector 505], 12912 [Suon Yut alias Yea, Combatant of Battalion 50 in Sector 505 Unit, Sector 505], 12913 [Chhor Khim, People in Kravanh Commune, Snuol, Sector 505], 12914 [Nhil Sam, Chief of Sambok Commune Cooperative in Kratie District, Sector 505], 12915 [Mien Phorn, People in Prek Kdei Cooperative, Snuol Commune, Sector 505], 12916 [Nun Yuth, Deputy Secretary of Thmei Commune, Kratie District, Sector 505], 12917 [Mop Bin alias Sokha, Chief of Snuol District Hospital Economics, Sector 505], 12918 [In Kim Hao alias Hao, Committee Member of Commune 100, Kratie District, Sector 505], 12919 [Khuon Kim Sut, People in Prek Kdei Cooperative, Snuol Commune, Sector 505], 12920 [Chai Chroek alias Sambatt, Chai, Sector 505], 12921 [Ke Thon, Mobile combatant of Chhloung District, Sector 505], 12922 [Mei Koeun alias Sitha, Combatant of Mobile [Unit] Chhloung District, Sector 505], 12923 [Kaup Him, People in Snuol Cooperative, Snuol District, Sector 505], 12924 [Yun Teng, Chief of Plowing in Sambok Commune, Kratie District, Sector 505], 12925 [Tuy Sean, Chief of Platoon in Prek Smach Cooperative, Chhloung District, Sector 505], 12926 [Chann Yoeun, Chief of Platoon in Sambok Commune, Kratie District, Sector 505]. *See further*, **D1.3.28.146** S-21 Interrogation Log, 16 Dec 1978, EN 00789508-00789510, KH 00086833-34, FR 00841432-34.
- 3529 **D4.1.810** Seng Soeun WRI, A36 [“Only the district committee members were put in the plane while lower level people who were also purged were sent to the Security Centre in Kratie province”]; **D4.1.458** Tann Saroeun WRI, EN 00225534, KH 00196826, FR 00272779 [“there were a few prisoners arrested from the cooperatives. In some cases, the villagers escaped from one place to another. They said that Vietnamese fought into their villages. Those villagers were arrested for interrogation to check whether an allegation was correct. They were suspected of saying something to stir up. They fled from their villages inside sector 505”].
- 3530 **D4.1.458** Tann Saroeun WRI, EN 00225534, KH 00196826, FR 00272778-79 [“In late 1978, when Vietnam intensified its offensive, most prisoners [in Kork Kduoch security centre] were former soldiers whose high-ranking superiors fled to Vietnam. [...] And there were a few prisoners arrested from the cooperatives. In some cases, the villagers escaped from one place to another. They said that Vietnamese fought into their villages. Those villagers were arrested for interrogation to check whether an allegation was correct. They were suspected of saying something to stir up. They fled from their villages inside Sector 505”], EN 00225535 [“An arrest of prisoner was made everyday and there were two or three prisoners in each arrest. They were accused of being Vietnamese associates. They were sent from all locations within the sector”].

- 3531 **D114/52** Cheang Chuo WRI, A34 ["At that time, some regiment and battalion commanders fled and abandoned their units because they were afraid of being arrested and killed"]; **D4.1.458** Tann Saroeun WRI, EN 00225534, KH 00196826, FR 00272778-79 ["In late 1978, when Vietnam intensified its offensive, most prisoners were former soldiers whose high-ranking superiors fled to Vietnam"].
- 3532 **D114/230.1.1** OCIJ S-21 Prisoner List, Nos 13981-13986 [Ngvieng Houphoeuk; Le Min Toem; Ngvieng Dik Chin; Ngvieng Yale; Ngvieng Vaing Vang; Pham Vilay all designated as "Vietnamese's spy" from Kratie [Northeast Zone]].
- 3533 **D1.3.33.1** Telegram from Ieng Sary to the President of the UN Security Council, 31 Dec 1978, EN 00081489, KH 00224424, FR 00224427 ["in Kratie province, on 25, 26, 27, 28, 29 and 30 December 1978, Vietnamese divisions N3 and 5 attacked and penetrated deeply into Kampuchean territory along national highway N7 (formerly national highway N13) just beyond the chief town of Snuol district. They are currently seeking to penetrate even more deeply into Kampuchean territory"]; **D64.1.39** FBIS, *Despite Defeat SRV Continues Aggression in Southwest*, 3 Jan 1979, EN 00169318 ["On the Snuol-Kratie battlefield: From 25 December 1978 to 1 January 1979, we crushed over 1,000 troops of the Vietnamese enemy aggressors and wounded many others"].
- 3534 **D4.1.191, D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, EN 00185022-23 ["under the DK, there were no courts, no prisons, no minister of justice. There was a national assembly but it never met. The chairman of the supreme court was arrested and brought to S-21, Kang Chab. So, anyone who entered S-21 whether there was a confession or not, could be killed with no problem at all. So, the purpose of a confession was not a legal one, like it was everywhere else [...] anyone arrested would certainly die"]; **D4.1.1109** Kaing Guek Eav WRI, EN 00177588, KH 00177581, FR 00177596 ["Q: Do you confirm that there were never any procedural safeguards aimed at assessing the necessity of arrest and detention and granting detainees a trial before they were executed? A: I confirm that the Party took all the important decisions, ruling the country in an exclusive and absolute manner [...] These principles were obviously not compatible with the existence of tribunals and procedural safeguards"]; **D114/52** Cheang Chuo WRI, A59 ["At that time, I did not hear of a judicial system"]; **D114/37.1.73** David Chandler, T. 6 Aug 2009, 10.20.45-10.22.38 ["there were no laws, no judges, no lawyers, no courts in Democratic Kampuchea. There's a Court was mentioned in its Constitution and a Judge was named head of that Court who was later purged at S-21. But no trials took place"].
- 3535 **D54/6.1.14** Kaing Guek Eav, T. 15 Jun 2009, 10.20.50-10.24.05 ["people [...] were arrested based on the implication in the confessions"], 11.06.08-11.11.45; **D4.1.191, D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, EN 00185023 ["the purpose of confessions was so upper echelon could analyse them and find traitors ... so they could track traitorous networks"]; **D4.1.406** Kaing Guek Eav Written Statement, EN 00434343, KH 00408229, FR 00408245 ["The core work of Special Branch in that era was sending confessions to upper echelon: it was the confessions that upper echelon wanted in order to increase their suspicions and to stupidly continue arresting and killing people, their own flesh and blood"]; **D234/2.1.110** Lach Mean, T. 25 Apr 2016, 15.50.50-15.52.39 ["We were assigned to interrogate because they want to find out the strings or network of traitors"]; **D234/2.1.112** Prak Khan, T. 27 Apr 2016, 11.21.40-11.23.23 ["prisoners usually implicated others in their confessions, so we had to search for all those related people"], 15.44.45-15.46.32.
- 3536 See para. 859.
- 3537 See, e.g., **D4.1.191, D114/37.1.7** Kaing Guek Eav alias Duch UNHCHR Statement, 4-6 May 1999, pp. 39, 45, EN 00185034, FR 00160921 ["We realized that confessions like that, they were excessive and could eventually destroy the CPK. [...] no-one believed it all"].
- 3538 See **VIII.D. S-21 Security Centre – 5. Crimes – Imprisonment – a) Deprivation of Liberty of Persons Sent to S-21**.
- 3539 **D4.1.458** Tann Saroeun WRI, EN 00225532-33, KH 00196824, FR 00272776-77 ["The new prisoners were shackled and handcuffed days and nights [...] The heavy prisoners were detained in a separate building with both legs in shackles and both hands in cuffs"], EN 00225536, KH 00196828, FR 00272780 ["Some of the prisoners were locked down and detained. Some others were not locked down but they were ordered to work in that security office"].
- 3540 **D114/102** Em Sarin WRI, A32-38 [describing his detention at Pochentong Market by Division 502 "to await their decision on what they were going to do with us". He explained "[t]here were always guards in front of and behind the house where they detained us"].
- 3541 See para. 867.

- 3542 **D234/2.1.140** Thuch Sithan, T. 22 Nov 2016, 14.31.45-14.34.02 [“Normally, it was difficult in the regime. Secrecy was the principle. No one dared to discuss and disclose any information”]; **D54/87** Prum Sarat WRI, A160 [“I do not know. During that regime, [the] upper echelon said it was a regime of secrecy. When they arrested or sent someone for re-education, they would arrest them secretly, and we would not know about it. I only know about one case, the case of San, one of my colleagues, who disappeared since 1977”]; **D4.1.195** CPK Statement to The Communist Worker’s Party of Denmark, July 1978, EN 00001178 [“Q: Why is illegal work still the fundamental or basic work? A: In this period, after liberation, it is *secret* work that is fundamental. We no longer use the terms ‘legal’ and ‘illegal’; we use the terms ‘secret’ and ‘open’. Secret work is fundamental in all that we do. For example, the elections of comrades to leading work are secret. The places where our leaders live are secret. We keep meeting times and places secret, and so on. On the one hand, this is a matter of general principle, and on the other, it is way to defend ourselves from the danger of enemy infiltration. As long as there is class struggle or imperialism, secret work will remain fundamental. Only through secrecy can we be masters of the situation and win victory over the enemy who cannot find out who is who. This also applies to foreign affairs. For example, the Soviet Union asked to come to Phnom Penh at liberation. They were preparing to send 200 men to the Embassy. We said we could not possibly receive them and they were furious. We base everything on secrecy. This is in the interests of the working classes”].
- 3543 See, e.g., **D114/171** Keo Samuon WRI, A53, 55-56 [Wife of Kratie District Secretary Huon Yeng: “Q: After your husband’s disappearance, did you discuss the disappearances with the wives of other cadres? A53: When we met with one another, we asked one another, but we did not receive any information. [...] Q: When you talked with them, did they tell you anything? A55: They did not have any information at all. Q: Do you think your husband is still alive? What do you think? A56: I do not think he is still alive. If he had been alive, he would have come to look for me”]; **D114/52** Cheang Chuo WRI, A30, 34 [“During that time, the purge began. They removed my comrades-in-arms, for instance Rum and Leang. [...] They were called to a meeting in Kratie, and then they disappeared forever [...] A34: Later, some regiment and battalion commanders were also called away and disappeared forever. At that time, some regiment and battalion commanders fled and abandoned their units because they were afraid of being arrested and killed”].
- 3544 **D114/116** Svay Saman WRI, A44-45 [“Many people from various battalions, including my older cousin, disappeared; we were afraid of losing our lives. Q: Was there a court system that allowed the people to file a complaint about such disappearances? A45: No, there wasn’t”]. See also para. 871.
- 3545 **D114/297.1.22** Moeng Vet, T. 26 Jul 2016, 13.38.38-13.41.29 [“we could not counter-attack the Vietnamese successfully, so they started not trusting us, and they accused us of not fighting against the Vietnamese. [...] the senior cadres who were accused of that”]; **D114/297.1.23** Moeng Vet, T. 27 Jul 2016, 09.10.52-09.12.21 [“the new people that replaced them told us that our superiors were considered traitors. The situation was chaotic when the “Yuong” army were attacking us, and we no longer trusted each other”], 09.39.48-09.41.29 [“[Meas Muth] mentioned that my group did not fight hard enough against the ‘Yuong’, and allowed ‘Yuong’ to come in”]; **D54/63** Moeng Vet WRI, A2 [“Meas Mut was angry and said that we were not resolute in fighting the Vietnamese. Because of those events, Meas Mut had lost his trust in the division leadership and removed those 11 people”].
- 3546 **D114/297.1.27** Seng Soeun, T. 29 Aug 2016, 13.50.40-13.51.58 *confirming* **D114/169** Seng Soeun WRI, A27 [“At that time, they were arresting persons in Yuon networks”].
- 3547 **D114/52** Cheang Chuo WRI, A34, 39 [“we knew that Rum and Leang had been killed because those of us in Division 117 were accused of being weak soldiers who were unable to defeat the Vietnamese. [...] A39: [...] they accused Division 117 of collaborating with the Yuon and because the division did not defeat the Yuon and kept retreating from the fierce attacks by the Yuon”].
- 3548 **D114/216** Meas Im WRI, A43 [stating that he was told that Meas Moeun had been arrested “because he could not defeat the Yuons”]; **D114/210** Vong Khan WRI, A37 [Stating that when he was transferred to Kratie in late 1978, “they no longer trusted each other. At that time, there were internal conflicts and fractures”]; **D114/167** Chhum Ya WRI, A46 [Sister of Snuol District Secretary Chhum Chen alias Phoan explaining that in 1982 or 1983, she had been told by Chhum Chen’s wife that he had been arrested for “not doing a good job because he let the Vietnamese enter”]; **D114/203** Menh Noeum WRI, A12 [“[The Division 117’s commander’s] name was Rom. He was executed. He was arrested as he was accused of treachery. [...] A42: After we lost the fight to the Vietnamese, Rom and Leang were taken away and executed”].
- 3549 **D1.3.27.20** DK Military Meeting Minutes, 9 Oct 1976, EN 00940354, KH 00052413.
- 3550 Case 001-**E188** Duch TJ, para. 480; Tadić AJ, para. 188; Nahimana AJ, para. 478.

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), sect. 2.06(1)-(2); *Archbold: Criminal Pleading, Evidence and Practice* (UK, 2007), §18-7.

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.

See **IX.A.1. Genocide – Actus Reus** section below.

Krstić AJ, para. 20; *Croatia v. Serbia*, para. 132; *Al Bashir* First Arrest Warrant Decision, para. 139; Darfur Commission Report, para. 491.

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.

Stakić AJ, paras 16-28; *Karadžić* TJ, para. 541; *Brđanin* TJ, para. 685; *Al Bashir* First Arrest Warrant Decision, para. 135; *Bosnia v. Serbia*, paras 193-196.

Stakić AJ, para. 28; *Karadžić* TJ, para. 541; *Brđanin* TJ, para. 686.

Krstić TJ, para. 556; *Brđanin* TJ, para. 682.

UNGA Resolution 96(I), 11 Dec 1946, UN doc. A/RES/96(I), pp. 188-189 (*emphasis added*).

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 Apr 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”].

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*)].

Croatia v. Serbia, paras 87, 504; *Bosnia v. Serbia*, paras 161, 194, 422.

See, e.g., *Krstić* AJ, para. 36 [“its perpetrators identify entire human groups for extinction”].

See, e.g., *Akayesu* TJ, para. 522; *Kayishema & Ruzindana* TJ, para. 99.

Krstić TJ, para. 556.

Jelisić TJ, para. 69.

Akayesu TJ, paras 511, 516, 702; *Musema* TJ, para. 162.

Darfur Commission Report, paras 498, 501.

Gacumbitsi TJ, para. 254; *Semanza* TJ, para. 317; *Blagojević & Jokić* TJ, para. 667; ISIS-Yazidi Report, para. 105; Darfur Commission Report, paras 499-501.

Kamuhanda TJ, para. 630; *Semanza* TJ, para. 317; *Rutaganda* TJ, para. 373; *Musema* TJ, para. 163; *Krstić* TJ, para. 557.

Stakić AJ, para. 25; *Musema* TJ, para. 161; *Rutaganda* TJ, para. 56; *Brđanin* TJ, para. 683; *Krstić* TJ, para. 557; *Jelisić* TJ, para. 70; *Kayishema & Ruzindana* TJ, para. 98; ISIS-Yazidi Report, para. 104; Darfur Commission Report, para. 499.

ISIS-Yazidi Report, para. 104; Darfur Commission Report, para. 511.

Brđanin TJ, para. 683; *Musema* TJ, para. 161; *Rutaganda* TJ, para. 56; *Kayishema & Ruzindana* TJ, para. 98; *Krstić* TJ, para. 559.

Bagilishema TJ, para. 65.

Akayesu TJ, para. 512.

Schabas, *Genocide in International Law* (2000), p. 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.

Oppenheim’s International Law, Vol. 1, p. 857 (Robert Jennings & Arthur Watts eds., 9th ed. 1992).

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.

Blagojević & Jokić 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.

Brđanin 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".

3581 *Popović TJ*, para. 840.

3582 *Karadžić TJ*, para. 2574.

3583 *Tolimir TJ*, para. 750, confirmed on appeal: *Tolimir AJ*, para. 185.

3584 *See, e.g., Blagojević & Jokić 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 acknowledged 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 confirmed that it would use the term "ethnic" throughout the judgment "for the sake of brevity"], 603, 2598.

3585 *Bosnia v. Serbia*, para. 196.

3586 *Akayesu TJ*, para. 513; *Kayishema & Ruzindana TJ*, para. 98. To describe the intangible term "culture", the UN Committee on Economic, Social and Cultural Rights has provided: "The Committee considers that 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 Nov 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".

3587 *Akayesu TJ*, paras 170-171, 702.

3588 *Al Bashir First Arrest Warrant Decision*, para. 137.

3589 *Akayesu TJ*, para. 514; *Kayishema & Ruzindana TJ*, para. 98.

3590 *IMT Judgment*, p. 304.

3591 *ICEAFRD*, art. 1(1).

3592 *Akayesu TJ*, para. 515; *Kayishema & Ruzindana TJ*, para. 98.

3593 *ISIS-Yazidi Report*, paras 103-105.

3594 *Karadžić TJ*, para. 542.

3595 *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.

3596 *Nahimana AJ*, para. 496; *Muhimana TJ*, para. 500; *Brđanin, TJ*, paras 689-690, 692. *See also* ICC Elements of Crimes, art. 6(a)-(e), Element 2, as applied in *Al Bashir Second Arrest Warrant Decision*, paras 10-12.

3597 *Bagilishema TJ*, para. 65; *Gacumbitsi TJ*, para. 255; *Muhimana TJ*, para. 500; *Ndindabahizi TJ*, paras 468-469; *Kajelijeli TJ*, para. 813; *Seromba TJ*, para. 318; *Rutaganda TJ*, para. 56.

3598 *Kayishema & Ruzindana 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.

3599 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*)].

3600 *Jelisić TJ*, para. 66; *Kayishema & Ruzindana TJ*, para. 91; *Croatia v. Serbia*, paras 132, 139.

3601 **See IX.A.1. Genocide - The Protected Group.**

3602 *Brđanin TJ*, para. 698; *Sikirica Acquittal Judgment*, para. 89; *Stakić TJ*, para. 521.

3603 *Bagilishema TJ*, para. 64; *Jelisić TJ*, para. 79; ILC 1996 Draft Code (with commentaries), p. 45. *See further* *Blagojević & Jokić TJ*, para. 665; *Brđanin TJ*, para. 698.

3604 *See, e.g., Niyitegeka AJ*, para. 50; *Akayesu TJ*, para. 521.

3605 *Niyitegeka AJ*, para. 53.

3606 *Bosnia v. Serbia*, para. 187. *See also* *Jelisić TJ*, para. 79; *Akayesu TJ*, para. 522.

3607 *Jelisić* TJ, para. 79.
 3608 *Karadžić* Rule 98bis AJ, para. 22; *Stakić* AJ, paras 33-35; *Croatia v. Serbia*, para. 130.
 3609 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 48.
 3610 See, e.g., *Krstić* AJ, para. 25; *Karadžić* TJ, para. 553; *Croatia v. Serbia*, para. 136.
 3611 *Blagojević & Jokić* TJ, para. 666.
 3612 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 49.
 3613 *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].
 3614 Genocide Convention, art. II(c).
 3615 3 Official Records of the General Assembly Summary of the Sixth Committee (1948) (83rd Meeting), p. 195 (Venezuela).
 3616 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 50. See also *Düsseldorf 1999* Judgment, para. 38.
 3617 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].
 3618 ISIS-Yazidi Report, para. 148.
 3619 *Blagojević & Jokić* TJ, para. 666; *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, paras 45-58; *Tolimir* AJ, para. 254; *Düsseldorf 1999* Judgment, para. 38.
 3620 *Krstić* AJ, para. 31.
 3621 See **Bolivia**: Penal Code - promulgated by Decree Law No. 10426 of 23 Aug 1972, art. 138; **El Salvador**: Penal Code Of The Republic Of El Salvador (Decree No. 1030) – 15 Jun 1974, 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.
 3622 ISIS-Yazidi Report, para. 159.
 3623 *Tolimir* AJ, para. 254; *Karadžić* TJ, para. 553; *Krstić* AJ, paras 33, 133; *Krstić* TJ, para. 580; *Blagojević & Jokić* AJ, para. 123.
 3624 *Krstić* AJ, Partial Dissenting Opinion of Judge Shahabuddeen, para. 53.
 3625 *Bosnia v. Serbia*, para. 344, quoting *Krstić* TJ, para. 580.
 3626 *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.
 3627 *Seromba* TJ, para. 319; *Semanza* TJ, para. 316; *Bagosora* TJ, para. 2115.
 3628 *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.
 3629 *Krstić* AJ, para. 12; *Karadžić* Rule 98bis AJ, para. 66.
 3630 *Krstić* AJ, paras 8, 12, 28-29; *Karadžić* TJ, para. 555; *Bosnia v. Serbia*, para. 200; *Croatia v. Serbia*, para. 142.
 3631 *Krstić* AJ, para. 14; *Bosnia v. Serbia*, para. 201.
 3632 *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.
 3633 *Jelisić* TJ, para. 82; *Sikirica* Acquittal Judgment, para. 77; *Milošević* Acquittal Decision, para. 132.
 3634 *Jelisić* TJ, paras 80, 83; *Krstić* TJ, paras 589-590; *Bosnia v. Serbia*, para. 199.
 3635 *Krstić* AJ, para. 13; *Karadžić* TJ, para. 555; *Tolimir* TJ, para. 749; *Bosnia v. Serbia*, para. 199; *Croatia v. Serbia*, para. 142.
 3636 *Karadžić* TJ, para. 555; *Krstić* AJ, para. 14.

- 3637 *Karadžić Rule 98bis AJ*, para. 80, citing *Gacumbitsi AJ*, para. 40; *Rutaganda AJ*, para. 525; *Kayishema & Ruzindana AJ*, para. 159.
- 3638 *Tolimir AJ*, para. 254; *Krstić AJ*, para. 33. See also *Croatia v. Serbia*, paras 162-163, 478; *Bosnia v. Serbia*, para. 190.
- 3639 *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.
- 3640 *Gacumbitsi AJ*, para. 43; *Kamuhanda AJ*, paras 81-82; *Karadžić TJ*, para. 550; *Tolimir TJ*, para. 745.
- 3641 *Seromba AJ*, para. 176.
- 3642 *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 **IX.A.1. Genocide – Mens Rea – a.) Intent to Destroy the Group “As Such”** section above.
- 3643 *Popović AJ*, para. 430; *Jelisić AJ*, para. 48; *Kayishema & Ruzindana AJ*, para. 138; *Simba AJ*, para. 260.
- 3644 *Jelisić AJ*, para. 48; *Semanza AJ*, para. 260; *Rutaganda AJ*, para. 525; *Bosnia v. Serbia*, para. 373.
- 3645 *Karadžić TJ*, para. 554; *Simba AJ*, paras 88, 269; *Kayishema & Ruzindana AJ*, para. 161; *Stakić AJ*, para. 45; *Jelisić AJ*, para. 49.
- 3646 *Kayishema & Ruzindana AJ*, para. 149; *Akayesu TJ*, paras 192-193; *Muhimana AJ*, para. 32; *Rutaganda AJ*, para. 537; *Ntabakuze AJ*, para. 241.
- 3647 *Ndindabahizi AJ*, para. 135; *Mpambara TJ*, para. 8.
- 3648 *Krstić AJ*, para. 32.
- 3649 *Krstić AJ*, para. 32.
- 3650 *Black’s Law Dictionary*, 9th ed. (2009).
- 3651 See, e.g., *Kayishema & Ruzindana AJ*, para. 185; *Musema TJ*, para. 114; *Kamuhanda TJ*, para. 588; *Čelebići AJ*, para. 351.
- 3652 ECCC Law, art. 29^{new}.
- 3653 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”].
- 3654 *Krstić AJ*, paras 138-139.
- 3655 General discussion of those modes of responsibility is found below. See **IX.B. Modes of Responsibility – 1. Individual Criminal Responsibility** section.
- 3656 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.
- 3657 *Tadić AJ*, para. 188; *Rwamakuba JCE Genocide Decision*, para. 31.
- 3658 See, e.g., *Karadžić TJ*, para. 5831; *Karemera & Ngirumpatse TJ*, paras 1616-1617, 1623, 1628, 1634, 1639, 1644, 1648, 1653, 1657-1658.
- 3659 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.
- 3660 ECCC Law, art. 5; Case 001-F28 *Duch AJ*, para. 106.
- 3661 Case 002-F36 Case 002/01 AJ, paras 711-721; D87/2/1.7/1/1/7 PTC Nexus Decision; Case 002-E95/8 TC Nexus Decision; D87/2/1.7/1 OCIJ Nexus Decision.
- 3662 Case 001-E188 *Duch TJ*, para. 298; Case 002-E313 Case 002/01 TJ, para. 178; *Kordić & Čerkez AJ*, para. 666; *Kunarac AJ*, para. 86; *Nahimana AJ*, paras 916-918; *Taylor TJ*, para. 506.
- 3663 Case 001-E188 *Duch TJ*, para. 298; Case 002-E313 Case 002/01 TJ, para. 178; *Nahimana AJ*, paras 916, 918; *Kordić & Čerkez AJ*, para. 666; *Taylor TJ*, para. 506.
- 3664 Case 001-E188 *Duch TJ*, para. 299; Case 002-E313 Case 002/01 TJ, para. 178; *Kunarac AJ*, para. 86; *Tadić AJ*, para. 251; *Sesay TJ*, para. 77.
- 3665 Case 001-E188 *Duch TJ*, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Kunarac AJ*, para. 93.
- 3666 Case 001-E188 *Duch TJ*, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Kordić & Čerkez AJ*, para. 94; *Nahimana AJ*, para. 920; *Taylor TJ*, para. 511.
- 3667 Case 001-E188 *Duch TJ*, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Blagojević & Jokić TJ*, para. 545.
- 3668 Case 001-E188 *Duch TJ*, para. 300; Case 002-E313 Case 002/01 TJ, para. 179; *Kordić & Čerkez AJ*, para. 94; *Nahimana AJ*, para. 920; *Sesay TJ*, para. 78.
- 3669 Case 002-E313 Case 002/01 TJ, para. 179; *Kordić & Čerkez AJ*, para. 94.

- 3670 Case 001-**E188** *Duch* TJ, paras 305, 308; Case 002-**E313** Case 002/01 TJ, para. 182; *Kunarac* AJ, para. 91; *Taylor* TJ, para. 507.
- 3671 *Akayesu* TJ, para. 582; *Bisengimana* TJ, para. 48; *Tadić* TJ, para. 639; *Limaj* TJ, para. 186; *Blaškić* TJ, para. 214; *Kordić & Čerkez* AJ, para. 421.
- 3672 *Blaškić* TJ, para. 214.
- 3673 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.
- 3674 Case 002-**E313** Case 002/01 TJ, para. 187; Case 001-**E188** *Duch* TJ, para. 312; *Vasiljević* TJ, para. 33; *Semanza* TJ, para. 330.
- 3675 Case 001-**E188** *Duch* TJ, para. 312; Case 002-**E313** Case 002/01 TJ, para. 187; *Mrkšić* TJ, para. 441; *Kunarac* TJ, para. 423.
- 3676 **D191/18** ICIJ Decision on Status of State's Own Armed Forces. The Co-Prosecutor adopts the position he set out in his recent filing on this issue: **D191/1** Submissions on Status of State's Own Armed Forces.
- 3677 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.
- 3678 **D191/18** ICIJ Decision on Status of State's Own Armed Forces, paras 35-43; **D191/1** Submissions on Status of State's Own Armed Forces, para. 8.
- 3679 **D191/18** ICIJ Decision on Status of State's Own Armed Forces, paras 44-45; **D191/1** Submissions on Status of State's Own Armed Forces, para. 9.
- 3680 **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.
- 3681 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"].
- 3682 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 & Šljivančanin* AJ, para. 31; *Taylor* TJ, para. 507.
- 3683 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 & Šljivančanin* AJ, paras 28-29, 32-33; *Tolimir* AJ, paras 141-143; *Taylor* TJ, para. 507.
- 3684 Case 001-**E188** *Duch* TJ, para. 311; Case 002-**E313** Case 002/01 Judgment, paras 187, 194; *Mrkšić & Šljivančanin* AJ, paras 28-29; *Martić* AJ, paras 311, 313-314.

3685 ECCC Law, art. 5.
 3686 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.
 3687 Case 002-**F36** Case 002/01 AJ, paras 745, 748.
 3688 Case 002-**F36** Case 002/01 AJ, para. 746; Case 001-**F28** *Duch* AJ, para. 238; Case 001-**E188** *Duch* TJ, paras 313-314; **E313** Case 002/01 TJ, para. 188; *Tadić* AJ, para. 305; *Akayesu* AJ, paras 461, 464-466; ICC Statute, art. 7(1), in particular art. 7(1)(h) concerning persecution.
 3689 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.
 3690 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.
 3691 Case 001-**E188** *Duch* TJ, para. 318; Case 002-**E313** Case 002/01 TJ, para. 190; *Kunarac* AJ, para. 100; *Mrkšić & Šljivančanin* AJ, para. 41; *Semanza* TJ, para. 326.
 3692 Case 002-**F36** Case 002/01 AJ, para. 754.
 3693 Case 001-**E188** *Duch* TJ, para. 319; Case 002-**E313** Case 002/01 TJ, para. 191; *Kunarac* AJ, para. 102; *Taylor* TJ, para. 513.
 3694 Case 001-**E188** *Duch* TJ, para. 319; *Limaj* TJ, para. 190; *Taylor* TJ, para. 513.
 3695 *Kordić & Čerkez* AJ, para. 99; *Tadić* AJ, paras 248, 252.
 3696 Case 001-**E188** *Duch* TJ, para. 319; Case 002-**E313** Case 002/01 TJ, para. 191; *Kunarac* AJ, para. 103; *Sesay* TJ, para. 90.
 3697 Case 001-**E188** *Duch* TJ, para. 319; *Kunarac* AJ, para. 103.
 3698 *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, arts 501, 503-508.
 3699 *See* Case 002-**E313** Case 002/01 TJ, para. 411; Case 002-**F36** Case 002/01 AJ, para. 765.
 3700 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.
 3701 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 & Lukić* AJ, paras 149, 208, 249, 316; *Bemba* TJ, para. 88.
 3702 Case 001-**E188** *Duch* TJ, para. 331; *Milutinović* TJ (Vol. 1), para. 137; *Čelebići* TJ, para. 424, fn. 435; *Taylor* TJ, para. 413.
 3703 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; *Krnojelac* TJ, para. 327; *Brima* TJ, para. 689.
 3704 Case 002-**F36** Case 002/01 AJ, para. 420 citing *Stakić* TJ, para. 201. *See also* Case 002-**F36** Case 002/01 AJ, para. 421.
 3705 *Krnojelac* TJ, para. 329.
 3706 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*)].

- 3707 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 [permitting limited derogations from certain ECHR obligations ‘in time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed’]”]; 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)”. The Co-Prosecutor notes that a state of public emergency must in any event be officially proclaimed by the State’s government. *See* ICCPR, art. 4(1); CCPR General Comment No. 29 on Article 4, para. 2 [“Before a State moves to invoke article 4, two fundamental conditions must be met: the situation must amount to a public emergency which threatens the life of the nation, and the State party must have officially proclaimed a state of emergency. The latter requirement is essential for the maintenance of the principles of legality and rule of law at times when they are most needed”]; ECHR, art. 4(1); ACHR, art. 27(3).
- 3708 ICCPR, arts 6(2)-6(3). The prohibition on genocide is a norm of *jus cogens*, from which no derogations are permitted. *See, e.g., DRC v. Rwanda*, para. 64 [discussing a norm having the character of a peremptory norm of general international law (*jus cogens*), “which is assuredly the case with regard to the prohibition of genocide”].
- 3709 Case 002-E313 Case 002/01 TJ, para. 412; *Dorđević* AJ, paras 551-552; *Akayesu* TJ, para. 588; *Brima* TJ, para. 690.
- 3710 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.
- 3711 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.
- 3712 *See* Case 002-E313 Case 002/01 TJ, para. 415.
- 3713 Case 002-F36 Case 002/01 AJ, para. 525; *Seromba* AJ, para. 189; *Ntakirutimana* AJ, para. 516
- 3714 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.
- 3715 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.
- 3716 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.
- 3717 Case 002-E313 Case 002/01 TJ, paras 421-424.
- 3718 Case 002-F36 Case 002/01 AJ, para. 421; *Ntakirutimana* AJ, para. 521; *Gacumbitsi* AJ, para. 89; *Sesay* TJ, para. 132.
- 3719 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.
- 3720 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.
- 3721 *Rukundo* AJ, paras 187, 189; *Stakić* TJ, paras 654-655; Case 002-D427 Closing Order, para. 1382.

- 3722 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 & Lukić* AJ, para. 537; *Ndindabahizi* AJ, para. 135.
- 3723 *Lukić & Lukić* AJ, para. 537; *Krstić* TJ, paras 79, 84, 426, 505; *Ntakirutimana* AJ, para. 521.
- 3724 For example, in *Lukić & 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)).
- 3725 *Ndindabahizi* AJ, para. 135.
- 3726 Case 002-F36 Case 002/01 AJ, paras 527-528.
- 3727 Case 002-E313 Case 002/01 TJ, para. 416; Case 001-E188 *Duch* TJ, para. 336; *Lukić & Lukić* AJ, para. 538; *Sesay* TJ, para. 132.
- 3728 Case 002-F36 Case 002/01 AJ, para. 551; Case 002-E313 Case 002/01 TJ, para. 416; *Lukić & Lukić* AJ, para. 538.
- 3729 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 & Lukić* AJ, para. 538; *Nahimana* TJ, para. 1061.
- 3730 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 & Lukić* AJ, para. 538; *Stakić* TJ, paras 639, 653.
- 3731 See Case 002-F36 Case 002/01 AJ, paras 519-520, citing ILC 1996 Draft Code (with commentaries), p. 48.
- 3732 Case 001-E188 *Duch* TJ, para. 337; *Musema* AJ, para. 366; *Stakić* TJ, para. 639.
- 3733 *Lukić & Lukić* AJ, para. 538, citing *Krstić* TJ, para. 501.
- 3734 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*”].
- 3735 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.
- 3736 Case 002-F36 Case 002/01 AJ, para. 520.
- 3737 *Stakić* AJ, paras 260-261.
- 3738 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.
- 3739 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.
- 3740 Case 001-F28 *Duch* AJ, paras 161-162.
- 3741 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.
- 3742 Case 001-F28 *Duch* AJ, para. 154; Case 001-E188 *Duch* TJ, para. 342; *Kunarac* AJ, para. 119; *Sesay* TJ, para. 199.
- 3743 Case 001-E188 *Duch* TJ, para. 344; *Kunarac* AJ, para. 123; *Sesay* TJ, para. 203.
- 3744 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.
- 3745 Case 001-F28 *Duch* AJ, para. 156.
- 3746 Case 001-F28 *Duch* AJ, paras 157-158.
- 3747 *Kunarac* AJ, paras 121, 356; *Taylor* TJ, para. 447.
- 3748 Case 001-E188 *Duch* TJ, paras 342, 344; *Kunarac* AJ, para. 119; *Krnojelac* TJ, para. 359; *Simić* TJ, para. 85; *Sesay* TJ, paras 199, 202.
- 3749 Case 001-E188 *Duch* TJ, para. 344; *Krnojelac* AJ, paras 194-195; *Sesay* TJ, para. 202; *Taylor* TJ, para. 448.
- 3750 *Sesay* AJ, para. 1082; *Kunarac* AJ, para. 119; Case 002-D427 Closing Order, para. 1394.
- 3751 Case 001-E188 *Duch* TJ, para. 343; *Kunarac* AJ, para. 120; *Sesay* AJ, para. 734; *Taylor* TJ, para. 447.
- 3752 Case 001-E188 *Duch* TJ, para. 343; *Kunarac* AJ, para. 120.
- 3753 *Krnojelac* AJ, para. 194.
- 3754 *Kunarac* AJ, para. 120; *Krnojelac* AJ, paras 194-195.
- 3755 *Krnojelac* AJ, paras 193-195.

- 3756 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.
- 3757 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; *Krnojelac* TJ, para. 109 and citations therein.
- 3758 Case 002-**D427/1/30** Ieng Sary Closing Order Decision, paras 328-332.
- 3759 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.
- 3760 Case 001-**E188** *Duch* TJ, paras 347-348; Case 002-**D427** Closing Order, para. 1403; *Kordić & Čerkez* AJ, para. 116; *Krnojelac* TJ, paras 113-115.
- 3761 Case 001-**E188** *Duch* TJ, para. 348; *Krnojelac* TJ, para. 114; *Ntagerura* TJ, para. 702.
- 3762 CCPR General Comment No. 29 on Article 4, paras 11 [“States parties may in no circumstances invoke article 4 of the Covenant as justification for acting in violation of humanitarian law or peremptory norms of international law, for instance by taking hostages, by imposing collective punishments, through arbitrary deprivations of liberty or by deviating from fundamental principles of fair trial, including the presumption of innocence”], 12 [“If action conducted under the authority of a State constitutes a basis for individual criminal responsibility for a crime against humanity by the persons involved in that action, article 4 of the Covenant cannot be used as justification that a state of emergency exempted the State in question from its responsibility in relation to the same conduct”]; *Aksoy v. Turkey* Judgment, paras 65-87 [finding that, although PKK terrorist activity in southeast Turkey had undoubtedly created, in the region concerned, a “public emergency threatening the life of the nation”, Turkey was still unjustified in holding a terrorist suspect for 14 days without judicial intervention. The ECtHR clarified that any imprisonment without due process not “strictly required by the exigencies of the situation” were unjustified]. *See also Nuray Şen v. Turkey* [reaching the same conclusion based on 11 days’ arbitrary detention].
- 3763 *Ntagerura* TJ, para. 702.
- 3764 *Ntagerura* TJ, para. 702; ICCPR, art. 9(2); ECHR, art. 5(2).
- 3765 *Krnojelac* TJ, para. 121; *Ntagerura* TJ, para. 702; ICCPR, art. 9(2); ECHR, arts 5(2), 6(3)(a).
- 3766 *Krnojelac* TJ, para. 121; *Ntagerura* TJ, para. 702.
- 3767 ECHR, art. 6(3)(c).
- 3768 ICCPR, art. 9(3); ECHR, arts 5(3)-(4); *Kulomin v. Hungary*, para. 11.3.
- 3769 ICCPR, art. 9(4); ECHR, art. 5(4).
- 3770 ECHR, arts 5(3), 6(1); ICCPR, art. 9(3).
- 3771 ICCPR, art. 14(2); ECHR, art. 6(2).
- 3772 Case 001-**E188** *Duch* TJ, para. 350; *Simić* TJ, para. 64; *Krnojelac* TJ, para. 115.
- 3773 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.
- 3774 1956 Penal Code, art. 500.
- 3775 Case 001-**F28** *Duch* AJ, paras 211-212; Case 002-**D427/1/30** Ieng Sary Closing Order Decision, paras 352-356.
- 3776 Case 002-**D427/1/30** Ieng Sary Closing Order Decision, para. 355; Case 001-**F28** *Duch* AJ, paras 196, 205.
- 3777 *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.
- 3778 Art. 3 of the 1975 Declaration on Torture expressly proscribes derogations from the prohibition against torture: “No State may permit or tolerate other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment.” Other international instruments containing the same proscription include 1984 Torture Convention, art. 2(2); ICCPR, arts 7, 4(2); ECHR, arts 3, 15(2); ACHR, arts 5, 27(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)]; *Ilaşcu et al. v. Moldova and Russia* Judgment, para. 424 [“The Court reiterates

that Article 3 of the Convention enshrines one of the most fundamental values of democratic societies. Even in the most difficult circumstances, such as the fight against terrorism and organised crime, the Convention prohibits in absolute terms torture and inhuman or degrading treatment or punishment. Unlike most of the substantive clauses of the Convention and of Protocols Nos 1 and 4, Article 3 makes no provision for exceptions and no derogation from it is permissible under Article 15§2 of the Convention even in the event of a public emergency threatening the life of the nation”].

3779 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.

3780 Case 001-**E188** *Duch* TJ, para. 355; *Kvočka* TJ, para. 143.

3781 Case 001-**E188** *Duch* TJ, para. 355; *Kvočka* TJ, para. 143.

3782 Case 001-**E188** *Duch* TJ, para. 355; *Krnojelac* TJ, para. 182.

3783 *Krnojelac* TJ, para. 182.

3784 Case 001-**E188** *Duch* TJ, para. 355; *Kunarac* AJ, para. 149.

3785 Case 001-**E188** *Duch* TJ, para. 355; *Kunarac* AJ, para. 150.

3786 *Kunarac* AJ, para. 149; *Kvočka* TJ, para. 143; *Brđanin* TJ, para. 483.

3787 Case 001-**E188** *Duch* TJ, para. 355; *Kvočka* TJ, para. 148; *Brđanin* TJ, para. 484.

3788 Case 001-**E188** *Duch* TJ, para. 355, *Čelebići* TJ, para. 467; *Kvočka* TJ, para. 151; *Krnojelac* TJ, para. 255. *See also* Report by the Special Rapporteur on Torture, 19 Feb 1986, UN Doc E/CN.4/1986/15, para. 119; *Akkoç v. Turkey* Judgment, paras 116-117; *Maritza Urrutia v. Guatemala*, paras 58.6, 85, 94; *Ilaşcu et al. v. Moldova and Russia* Judgment, paras 435, 440.

3789 *Hajrulahu* Judgment, paras 101-102.

3790 *See, e.g., Estrella v. Uruguay*, paras 1.6, 8.3, 10; *Maritza Urrutia v. Guatemala*, paras 58.6, 85, 94.

3791 *Kayishema & Ruzindana* TJ, para. 153.

3792 Case 001-**E188** *Duch* TJ, para. 355; *Kunarac* AJ, paras 150-151.

3793 *Kunarac* AJ, para. 150.

3794 Case 001-**E188** *Duch* TJ, para. 355; *Kvočka* TJ, para. 144.

3795 *Kunarac* AJ, para. 148; *Kvočka* AJ, para. 284; *Semanza* AJ, paras 248, 286.

3796 Case 001-**F28** *Duch* AJ, paras 191-192, 195-197, 205; 1975 Declaration on Torture, art. 1.

3797 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.

3798 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; *Krnojelac* TJ, para. 179; *Furundžija* TJ, para. 162.

3799 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.

3800 Case 001-**E188** *Duch* TJ, para. 356; *Čelebići* TJ, paras 470-472.

3801 Case 001-**E188** *Duch* TJ, para. 356; *Kunarac* TJ, para. 486.

3802 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.

- 3803 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.
- 3804 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.
- 3805 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 & Čerkez* 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].
- 3806 Case 001-**F28** *Duch* AJ, paras 258, 260; *Krnojelac* AJ, para. 219; *Brđanin* AJ, para. 296.
- 3807 Case 001-**F28** *Duch* AJ, paras 244-245, 261; Case 002-**E313** Case 002/01 TJ, para. 433; *Nahimana* AJ, para. 985; *Brđanin* AJ, para. 296.
- 3808 *Brđanin* AJ, para. 295.
- 3809 Case 002-**E313** Case 002/01 TJ, para. 433; *Nahimana* AJ, para. 987.
- 3810 Case 001-**F28** *Duch* AJ, para. 259.
- 3811 Case 001-**F28** *Duch* AJ, para. 259.
- 3812 Case 001-**F28** *Duch* AJ, para. 254, following a review of jurisprudence at paras 242-253.
- 3813 Some of which have been cited with approval by the ECCC Trial Chamber. *See* Case 001-**E188** *Duch* TJ, para. 378.
- 3814 *Kordić & Čerkez* TJ, para. 206.
- 3815 *Kvočka* AJ, paras 323-325; *Kvočka* TJ, paras 190-192; *Stakić* TJ, paras 758-760, 807-808.
- 3816 *Karadžić* TJ, paras 530-534; *Blaškić* AJ, paras 146, 149.
- 3817 *Krnojelac* AJ, paras 198-203.
- 3818 *Krnojelac* AJ, para. 222; *Blaškić* AJ, para. 153.
- 3819 *Karadžić* TJ, para. 514; *Krajišnik* TJ, paras 755-756; *Nikolić (Dragan)* SJ, para. 69.
- 3820 *Gotovina* TJ, para. 1839.
- 3821 *Brđanin* AJ, paras 294-297; *Stanišić & Župljanin* TJ, Vol. I, paras 91-92.
- 3822 *Nahimana* AJ, paras 986-988.
- 3823 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.
- 3824 Case 001-**F28** *Duch* AJ, para. 267; Case 001-**E188** *Duch* TJ, para. 377.
- 3825 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 & Jokić* TJ, para. 583.
- 3826 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.
- 3827 Case 001-**F28** *Duch* AJ, paras 272-273; *Kvočka* AJ, paras 363, 366, 455; *Simić* TJ, para. 49; *Stakić* TJ, para. 734.
- 3828 Case 002-**F36** Case 002/01 AJ, para. 678.
- 3829 Case 002-**F36** Case 002/01 AJ, para. 669.
- 3830 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.
- 3831 Case 001-**F28** *Duch* AJ, para. 272; Case 002-**F36** Case 002/01 AJ, para. 669.
- 3832 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.
- 3833 Case 001-**E188** *Duch* TJ, para. 379; *Kordić & Čerkez* AJ, para. 111; *Blaškić* AJ, para. 165; *Karadžić* TJ, para. 500.
- 3834 Case 001-**E188** *Duch* TJ, para. 379; *Kordić & Čerkez* AJ, para. 111; *Blaškić* AJ, para. 165.
- 3835 *Simić* TJ, para. 51.
- 3836 *Karadžić* TJ, para. 500; *Popović* TJ, para. 967.
- 3837 *Kvočka* AJ, paras 232-233.
- 3838 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.
- 3839 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.
- 3840 Case 002-**F36** Case 002/01 AJ, para. 576.
- 3841 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.
- 3842 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 & Čerkez AJ, para. 117; Brima AJ, paras 183, 198.
- 3843 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; Case 004/2-**D257/1/8** Forced Marriage Considerations: International Judges, para. 15; Krajišnik AJ, para. 331; Brima AJ, para. 198; Lukić & Lukić TJ, para. 960; ICC Elements of Crimes, art. 7(1)(k), Element 2.
- 3844 Case 002-**F36** Case 002/01 AJ, para. 580.
- 3845 *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* Case 004/2-**D257/1/8** Forced Marriage Considerations: International Judges, para. 18.
- 3846 Case 001-**E188** Duch TJ, para. 369; Case 002-**E313** Case 002/01 TJ, para. 438; Case 004/2-**D257/1/8** Forced Marriage Considerations: International Judges, para. 16; Kordić & Čerkez AJ, para. 117; Lukić & Lukić TJ, para. 961.
- 3847 Case 002-**F36** Case 002/01 AJ, para. 590.
- 3848 Case 001-**E188** Duch TJ, para. 369; Case 002-**E313** Case 002/01 TJ, para. 438; Vasiljević AJ, para. 165; Case 004/2-**D257/1/8** Forced Marriage Considerations: International Judges, para. 16 *quoting* Case 001-**E188** Duch TJ, para. 369.
- 3849 Case 001-**E188** Duch TJ, para. 369; Case 002-**E313** Case 002/01 TJ, para. 439; Vasiljević AJ, para. 165; Lukić & Lukić TJ, para. 961, fn. 2887.
- 3850 Case 002-**F36** Case 002/01 AJ, paras 584-585.
- 3851 Case 002-**F36** Case 002/01 AJ, para. 585.
- 3852 Case 002-**F36** Case 002/01 AJ, para. 589 (*emphasis in original*).
- 3853 Case 002-**F36** Case 002/01 AJ, para. 589.
- 3854 Case 002-**F36** Case 002/01 AJ, para. 590.
- 3855 Kupreškić TJ, para. 566; Kvočka TJ, para. 208.
- 3856 Kupreškić TJ, para. 566; Kvočka TJ, para. 208.
- 3857 Blaškić TJ, para. 239; Kayishema & Ruzindana TJ, para. 151.
- 3858 Case 001-**E188** Duch TJ, para. 370; Muvunyi I TJ, para. 528; Kvočka TJ, para. 208; Tadić TJ, para. 730.
- 3859 Case 002-**F36** Case 002/01 AJ, para. 581 *citing* Krnojelac TJ, para. 133.
- 3860 Muvunyi I TJ, para. 528; Brima AJ, paras 184, 186.
- 3861 Case 002-**F36** Case 002/01 AJ, para. 581 *citing* Naletilić & Martinović TJ, para. 245; Blaškić TJ; Kordić & Čerkez TJ, para. 773.
- 3862 Case 002-**F36** Case 002/01 AJ, para. 581 *citing* Kupreškić TJ, para. 819; Kayishema & Ruzindana TJ, para. 153; Brima AJ, para. 199.
- 3863 Case 002-**F36** Case 002/01 AJ, para. 581 *citing* Kenyatta Confirmation of Charges Decision, paras 270-273.
- 3864 Case 002-**F36** Case 002/01 AJ, para. 581 *citing* Kenyatta Confirmation of Charges Decision, paras 276-277.
- 3865 Case 002-**F36** Case 002/01 AJ, para. 581 *citing* Kenyatta Confirmation of Charges Decision, para. 280.
- 3866 Akayesu TJ, para. 697; Brdanin TJ, para. 1013.
- 3867 **D174** Written Record of Initial Appearance.
- 3868 Inhumane treatment is also called inhuman treatment, as set out in GC I, art. 50, GC II, art. 51, GC III, art. 130, GC IV, art. 147, and subsequent human rights instruments noted below.
- 3869 UDHR, art. 5; ICCPR, art. 7; ACHR, art. 5(2); African Charter on Human and Peoples' Rights, art. 5; ECHR, art. 3.
- 3870 UDHR, art. 5 ["No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"]; ICCPR, art. 7 ["No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"]; ACHR, art. 5(2) ["No one shall be subjected to torture or to cruel, inhuman, or

degrading punishment or treatment”]; African Charter on Human and Peoples’ Rights, art. 5 [“All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited”]; ECHR, art. 3 [“No one shall be subjected to torture or to inhuman or degrading treatment or punishment”].

3871 *Ireland v. United Kingdom*, Judgment, paras 162, 167-168.

3872 See, e.g., *Orić* TJ, para. 350; *Simić* TJ, para. 74; *Krnojelac* TJ, para. 130. See also the **IX.A.3. Grave Breaches of the Genocide Conventions – Specific Offences – 2. Torture or Inhuman Treatment** section below for a fuller discussion regarding the material elements of the grave breaches of inhuman treatment and torture.

3873 See, e.g., *Simić* TJ, paras 770-771 [finding cruel and inhumane treatment as an underlying act of persecution where non-Serb detainees were severely beaten with various objects such as rifles, metal bars, baseball bats, metal chains, police batons, and chair legs]; *Delić* TJ, paras 315-319 [finding cruel treatment as a war crime where women were beaten with hands and fists, metal sticks, rifle butts, and kicks]; *Orić* TJ, paras 414-474 [finding cruel treatment as a war crime where detainees were kicked; stomped on; punched with fists; beaten with wooden logs, sticks and poles, shoes, rifle butts, iron bars, metal rods, and baseball bats; and stabbed with knives].

3874 *Orić* TJ, paras 443, 469 [finding cruel treatment as a war crime where a detainee’s head was banged against a radiator, causing him to lose consciousness].

3875 See, e.g., *Delić* TJ, paras 255-258, 270, 273 [finding cruel treatment as a war crime where detainees were strung up by their ankles, with their torsos resting on the ground and their hands tied behind their backs, and spent the whole night in restraints so tight that one detainee said it felt like it would cut off his feet]; *Boškoski & Tarčulovski* TJ, paras 383, 385 [finding cruel treatment as a war crime where ethnic Albanian men were forced to lie on the ground with their eyes and faces covered while they were repeatedly beaten].

3876 See, e.g., *Simić* TJ, para. 773 [finding cruel and inhumane treatment as underlying acts of persecution where non-Serb detainees were subjected to abuse and humiliation, overcrowded conditions, insufficient food or water, unhygienic conditions, inappropriate access to medical care, and beatings and torture]; *Krnojelac* TJ, paras 133, 135-173, 534 [finding cruel treatment as a war crime and as an underlying act of persecution of non-Serbs based on brutal and deplorable living conditions that included cramped and unhygienic conditions, inadequate food, and denial of the most basic protection against freezing temperatures]; *Čelebići* TJ, paras 1112-1119 [finding cruel treatment as a war crime and as a grave breach of the GCs where detainees were given insufficient water, food, medical care, and access to rudimentary toilet facilities; were subjected to searing temperatures and inadequate sleeping arrangements in overcrowded conditions; and arbitrary acts of violence gave rise to an all-pervasive atmosphere of terror].

3877 Case 002-**E313** Case 002/01 TJ, paras 456-458.

3878 Case 001-**E188** *Duch* TJ, para. 370; *Krnojelac* TJ, para. 133; *Kvočka* TJ, para. 209.

3879 *Blaškić* AJ, para. 155; *Karadžić* TJ, para. 514; *Krajišnik* TJ, paras 745-747, 755-756; *Stanišić & Župljanin* TJ, paras 203, 226-227, 678-679, 681, 683, 701; *Kvočka* TJ, para. 209.

3880 *Prlić* 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, *Prlić* 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].

3881 *Karadžić* Rule 98bis AJ, paras 48-49; *Brđanin* TJ, para. 691; *Kayishema & Ruzindana* TJ, paras 115-116.

3882 *Brima* AJ, paras 198-201; *Sesay* TJ, paras 2306-2307; Case 002-**D427** Closing Order, paras 1314, 1442-1443, fn. 5195.

3883 UDHR, art. 16(2) [“Marriage shall be entered into only with the free and full consent of the intending spouses”].

3884 See, e.g., 1962 Convention on Consent to Marriage (the Preamble of the Convention recalls art. 16 of the UDHR). Art. 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”].

3885 *Brima* AJ, para. 196; *Sesay* AJ, paras 735-736.
 3886 *Brima* AJ, para. 195.
 3887 *Brima* AJ, para. 190.
 3888 *Brima* AJ, para. 201.
 3889 *Brima* AJ, para. 195.
 3890 *Sesay* AJ, para. 736; *Stakić* AJ, para. 281.
 3891 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.
 3892 *Krnojelac* AJ, para. 194.
 3893 *Sesay* AJ, para. 736. *See also* *Kvočka* AJ, para. 396; *Kunarac* AJ, paras 132-133; *Muhimana* TJ, para. 545; *Krnojelac* AJ, paras 194-195, 226-233.
 3894 *Brima* AJ, para. 190.
 3895 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.
 3896 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.
 3897 **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).
 3898 Case 001-**F28** *Duch* AJ, paras 207-208, 211; Case 001-**E188** *Duch* TJ, paras 355, 366; *Akayesu* TJ, para. 687.
 3899 *Akayesu* TJ, para. 598 [defining rape as “a physical invasion of a sexual nature, committed on a person under circumstances which are coercive”].
 3900 Referring to the factual findings in Case 002-**D427** Closing Order, para. 858.
 3901 Case 002-**D427** Closing Order, para. 1431; *see also* para. 1427.
 3902 As reflected in the ICC Elements of Crimes, fn. 15. *See* fn. 3904 below.
 3903 Case 001-**E188** *Duch* TJ, para. 362; *Kunarac* AJ, para. 127.
 3904 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”.
 3905 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 Brđanin* TJ, paras 1012-1013.
 3906 *Kunarac* AJ, paras 127-128; *Taylor* TJ, para. 416.
 3907 Case 001-**E188** *Duch* TJ, para. 363; *Kunarac* AJ, paras 129-130; *Taylor* TJ, para. 416; *Brima* TJ, para. 694.
 3908 Case 001-**E188** *Duch* TJ, para. 363; *Kunarac* AJ, para. 128; *Gacumbitsi* AJ, para. 155; *Taylor* TJ, para. 416.
 3909 *Sesay* TJ, para. 148; *Taylor* TJ, para. 416. *See also* ICC Elements of Crimes, art. 7(1)(g)-1, Element 2, fn. 16.
 3910 Case 001-**E188** *Duch* TJ, para. 363; *Gacumbitsi* AJ, para. 151; *Taylor* TJ, para. 416.
 3911 Case 001-**E188** *Duch* TJ, para. 364; *Muhimana* AJ, paras 48-49; *Sesay* TJ, para. 149.
 3912 ICCPR, art. 8(3)(a) [“No one shall be required to perform forced or compulsory labour”]; ECHR, art. 4(2) [“No one shall be forced to perform forced or compulsory labour”]; ACHR, art. 6(2) [“No one shall be required to perform forced or compulsory labor”].
 3913 *Krnojelac* TJ, para. 359; *Sesay* TJ, para. 202.
 3914 *See the IX.A.2. Crimes Against Humanity – Specific Offences – 3. Enslavement* section.
 3915 *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.
 3916 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., Krnojelac* TJ, paras 359, 372; *Sesay* TJ, para. 202.
 3917 *Krnojelac* TJ, paras 359, 372; *Sesay* TJ, para. 202; *Taylor* TJ, para. 448.
 3918 Case 001-**E188** *Duch* TJ, para. 343; *Kunarac* AJ, para. 120.
 3919 *Krnojelac* AJ, para. 194.
 3920 *Kunarac* AJ, para. 120; *Krnojelac* AJ, paras 194-195.
 3921 *Krnojelac* AJ, para. 194.
 3922 *Krnojelac* AJ, paras 194-195; *Krnojelac* TJ, paras 359, 372; *Krajišnik* TJ, paras 758, 815; *Sesay* TJ, para. 202.
 3923 *Krnojelac* TJ, para. 373; *Sesay* AJ, para. 1082.
 3924 *Krnojelac* AJ, paras 193-195.

- 3925 *Kunarac* AJ, para. 123; *Sesay* TJ, para. 203. Both cite the WWII case *US v. Oswald Pohl and Others*,
Judgement of 3 Nov 1947, reprinted in *Trials of War Criminals Before the Nuremberg Military Tribunals*
under Control Council No. 10, Vol. 5 (1997), p. 970.
- 3926 ECHR, art. 4(3) ["For the purposes of this Article the term 'forced or compulsory labour' shall not include:
(a) any work required to be done in the ordinary course of detention imposed according to the provisions of
Article 5 of this Convention"]; ICCPR, art. 8(3)(b) ["Paragraph 3(a) shall not be held to preclude, in countries
where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard
labour in pursuance of a sentence to such punishment by a competent court"], art. 8(3)(c) ["For the purpose of
this paragraph the term 'forced or compulsory labour' shall not include: (i) any work or service, not referred
to in subparagraph (b) normally required of a person who is under detention in consequence of a lawful order
of court"]; ACHR, art. 6(2) ["This provision shall not be interpreted to mean that, in those countries in which
the penalty established for certain crimes is deprivation of liberty at forced labor, the carrying out of such a
sentence imposed by a competent court is prohibited. Forced labor shall not adversely affect the dignity or the
physical or intellectual capacity of the prisoner"], art. 6(3) ["For the purposes of this article, the following do
not constitute forced or compulsory labor: 1. work or service normally required of a person imprisoned in
execution of a sentence or formal decision passed by the competent judicial authority"]; *Krnojelac* 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, paras 596-97 [forcing detainees to dig trenches constituted 'a serious attack
on human dignity' causing serious mental or physical suffering or injury, as the labour may not be connected
with war operations or have a military character or purpose]; *Krnojelac* TJ, para. 360 [regarding conditions
and safeguards that must be observed].
- 3927 Case 001-E188 *Duch* TJ, paras 402-408; Case 002-D427/2/15 *Nuon Chea and Ieng Thirith* Closing Order
Decision, para. 124.
- 3928 Case 001-E188 *Duch* TJ, paras 409-410; *Naletilić & Martinović* AJ, paras 110, 116-121.
- 3929 GCs' common art. 2; Case 001-E188 *Duch* TJ, paras 411-413; *Tadić* Jurisdiction Decision, para. 79; *Naletilić*
& *Martinović* AJ, para. 117.
- 3930 Case 001-E188 *Duch* TJ, para. 412; *Tadić* Jurisdiction Decision, para. 70; *Prlić* TJ (Vol 1), para. 84.
- 3931 Case 001-E188 *Duch* TJ, para. 414; *Kordić & Čerkez* AJ, para. 373; *Bemba* PTC Decision on the Charges,
para. 220.
- 3932 Case 001-E188 *Duch* TJ, para. 415; *Prlić* TJ (Vol 1), para. 85.
- 3933 Case 001-E188 *Duch* TJ, para. 415; *Tadić* Jurisdiction Decision, para. 70; *Kordić & Čerkez* AJ, para. 321.
- 3934 Case 001-E188 *Duch* TJ, para. 416; *Halilović* TJ, para. 28; *Brđanin* TJ, para. 128.
- 3935 Case 001-E188 *Duch* TJ, para. 416; *Halilović* TJ, para. 28; *Tadić* Jurisdiction Decision, para. 70; *Vasiljević*
TJ, para. 24.
- 3936 *Kunarac* AJ, para. 58.
- 3937 ECCC Law, art. 6. See also Case 001-E188 *Duch* TJ, para. 417.
- 3938 GC III, art. 4A.
- 3939 *ICRC Commentary to GC III*, p. 50.
- 3940 GC IV, art. 4(1); Case 001-E188 *Duch* TJ, para. 418.
- 3941 *Tadić* AJ, para. 164; *Naletilić & Martinović* TJ, para. 208; *ICRC Commentary to GC IV*, pp. 46-47.
- 3942 Case 001-E188 *Duch* TJ, para. 419; *Tadić* AJ, para. 166; *Aleksovski* AJ, para. 151; *Čelebići* AJ, para. 58.
- 3943 Case 001-E188 *Duch* TJ, para. 419; *Tadić* AJ, paras 166, 168; *Čelebići* AJ, para. 84.
- 3944 Case 001-E188 *Duch* TJ, para. 419; *Tadić* AJ, para. 166; *Kordić & Čerkez* AJ, paras 328-331; *Aleksovski* AJ,
paras 151-152.
- 3945 *Prlić* TJ (Vol 1), para. 100.
- 3946 Case 001-E188 *Duch* TJ, para. 419; *Čelebići* AJ, para. 98.
- 3947 Case 001-E188 *Duch* TJ, paras 420-422; *Naletilić & Martinović* AJ, paras 110-121; *Kordić & Čerkez* AJ,
para. 311. See also ICC Elements of Crimes, art. 8(2)(a)(i)-(viii).
- 3948 Case 001-E188 *Duch* TJ, para. 422; *Kordić & Čerkez* AJ, para. 311.
- 3949 Case 001-E188 *Duch* TJ, para. 422.
- 3950 GC III, art. 130; GC IV, art. 147.
- 3951 Case 001-E188 *Duch* TJ, para. 431; *Brđanin* TJ, para. 380.
- 3952 GC III, art. 130; GC IV, art. 147.
- 3953 Case 001-E188 *Duch* TJ, para. 439; *Brđanin* TJ, para. 482; *Krnojelac* TJ, para. 178.
- 3954 Case 001-E188 *Duch* TJ, paras 440-441; *Čelebići* AJ, para. 426; *Prlić* TJ (Vol 1), para. 113. See also *ICRC*

- Commentary to GC IV, p. 598; ICC Elements of Crimes, art. 8(2)(a)(ii)-2, Element 1.
- 3955 Čelebići TJ, para. 543.
- 3956 Case 001-E188 Duch TJ, para. 442; Čelebići TJ, para. 544; Blaškić TJ, para. 155.
- 3957 Case 001-E188 Duch TJ, para. 442; Čelebići TJ, para. 544; ICRC Commentary to GC IV, p. 598.
- 3958 Case 001-E188 Duch TJ, para. 443; Čelebići TJ, para. 542.
- 3959 Kordić & Čerkez TJ, para. 256; Prlić TJ (Vol I), paras 115, 117-118. See further GC III, arts 13, 25-26, 29, 30, 37; GC IV, arts 27, 82-98.
- 3960 Case 001-E188 Duch TJ, para. 442; Tadić TJ, para. 730; Prlić TJ (Vol I), paras 114-115.
- 3961 Prlić TJ (Vol I), para. 116.
- 3962 Case 001-E188 Duch TJ, para. 442; Blaškić TJ, para. 239.
- 3963 Case 001-E188 Duch TJ, para. 444, Prlić TJ (Vol I), para. 120; Aleksovski TJ, para. 56; Blaškić TJ, para. 152.
- 3964 GC III, art. 130; GC IV, art. 147; Case 001-E188 Duch TJ, para. 450; Čelebići AJ, para. 424; ICC Elements of Crimes, art. 8(2)(a)(iii), Element 1.
- 3965 Case 001-E188 Duch TJ, para. 453; Čelebići TJ, paras 508, 511; Blaškić TJ, para. 156.
- 3966 Case 001-E188 Duch TJ, para. 454; Naletilić & Martinović TJ, paras 340-342.
- 3967 Case 001-E188 Duch TJ, para. 454; Krstić TJ, para. 513.
- 3968 Case 001-E188 Duch TJ, para. 453; Čelebići AJ, para. 424; Kordić & Čerkez TJ, paras 244-245.
- 3969 Case 001-E188 Duch TJ, para. 455.
- 3970 GC III, art. 130; GC IV, art. 147; Case 001-E188 Duch TJ, paras 458-459; ICC Elements, art. 8(2)(a)(vi), Element 1.
- 3971 GC III, art. 84.
- 3972 GC III, art. 104; GC IV, art. 71.
- 3973 GC III, art. 87; GC IV, art. 33.
- 3974 GC III, art. 99; GC IV, art. 67.
- 3975 GC III, art. 99; GC IV, art. 31.
- 3976 GC III, arts 96, 99, 105; GC IV, art. 72.
- 3977 GC III, art. 86; GC IV, art. 117.
- 3978 GC III, art. 106; GC IV, art. 73.
- 3979 GC III, arts 3, 84; GC IV, arts 64-71, 74-75.
- 3980 Case 001-E188 Duch TJ, para. 464; Simić TJ, para. 63; Kordić & Čerkez TJ, para. 301. Although, as the Krnojelac Trial Chamber made clear, imprisonment as a CAH is not restricted by the provisions of the Geneva Conventions. See Krnojelac TJ, para. 111.
- 3981 Čelebići AJ, para. 322; Case 001-E188 Duch TJ, para. 465.
- 3982 GC IV, art. 42 (*emphasis added*); Case 001-E188 Duch TJ, para. 465; Čelebići AJ, paras 320-321; Kordić & Čerkez AJ, paras 70, 72-73; Kordić & Čerkez TJ, para. 284. As the ICTY Appeals Chamber has explained, GC IV, art. 5 reinforces the principle that the principle behind art. 42, that restrictions on the rights of civilian protected persons, such as deprivation of their liberty by confinement, are permissible only where there are reasonable grounds to believe that the security of the State is at risk. See Čelebići AJ, para. 321; Kordić & Čerkez AJ, para. 72.
- 3983 Kordić & Čerkez TJ, para. 285; Prlić TJ (Vol I), para. 135.
- 3984 Kordić & Čerkez TJ, para. 284; Čelebići AJ, para. 327; ICRC Commentary to GC IV, p. 258.
- 3985 Kordić & Čerkez TJ, para. 284; Prlić TJ (Vol I), para. 134.
- 3986 GC IV, art. 43; Case 001-E188 Duch TJ, para. 465; Kordić & Čerkez AJ, paras 70, 73; Čelebići AJ, para. 320.
- 3987 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.
- 3988 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.
- 3989 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.

- 3990 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.
- 3991 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.
- 3992 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.
- 3993 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.
- 3994 Case 001-**E188** *Duch* TJ, para. 508; *Tadić* AJ, para. 227; *Vasiljević* AJ, para. 100.
- 3995 Case 001-**E188** *Duch* TJ, para. 508; Case 002-**E313** Case 002/01 TJ, para. 692; *Brđanin* AJ, para. 430; *Nizeyimana* AJ, para. 318.
- 3996 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.
- 3997 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”].
- 3998 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.
- 3999 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.
- 4000 Case 002-**F36** Case 002/01 AJ, para. 808 (*emphasis added*).
- 4001 Case 002-**F36** Case 002/01 AJ, para. 809 (*emphasis added*).
- 4002 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.
- 4003 Case 002-**F36** Case 002/01 AJ, para. 1075.
- 4004 *Rwamakuba* JCE Genocide Decision, para. 25. *See also Brđanin* AJ, para. 425; *Sesay* AJ, paras 106, 316.
- 4005 Case 001-**E188** *Duch* TJ, para. 508; *Tadić* AJ, para. 227; *Brđanin* AJ, paras 417-419; *Šainović* AJ, para. 609.
- 4006 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.
- 4007 *Simba* AJ, para. 250.
- 4008 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.
- 4009 *Tadić* AJ, para. 229(iii).
- 4010 *Šainović* AJ, para. 1823; *Kvočka* AJ, para. 192.
- 4011 *Kvočka* AJ, paras 112-113, 276; *Krnojelac* AJ, para. 81; *Simba* AJ, para. 296. Although it may be an indicator of a co-perpetrator’s contribution.
- 4012 *Popović* AJ, para. 1615.
- 4013 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.
- 4014 Case 002-**F36** Case 002/01 AJ, paras 983-984.
- 4015 *Kvočka* AJ, paras 187, 421. *See also* Case 002-**E313** Case 002/01 TJ, para. 693.
- 4016 *Sesay* AJ, paras 1035, 1063.
- 4017 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.
- 4018 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.

- 4019 Case 001-**E188** *Duch* TJ, para. 508; Case 002-**F36** Case 002/01 AJ, para. 980; *Kvočka* AJ, para. 98; *Sesay* AJ, para. 401.
- 4020 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.
- 4021 Case 002-**F36** Case 002/01 AJ, para. 980 citing *Kvočka* AJ, para. 95; *Šainović* AJ, paras 920, 970-972; *Krajišnik* AJ, para. 217.
- 4022 Case 002-**F36** Case 002/01 AJ, para. 984.
- 4023 Case 002-**F36** Case 002/01 AJ, para. 982 citing *Krajišnik* AJ, paras 216-217.
- 4024 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; *Dorđević* AJ, para. 165; *Sesay* AJ, paras 398-400.
- 4025 *Brđanin* AJ, para. 413; *Martić* AJ, para. 169; *Sesay* AJ, para. 414.
- 4026 *Brđanin* AJ, para. 410; *Sesay* AJ, para. 414.
- 4027 *Krajišnik* AJ, para. 226; *Popović* AJ, para. 1414; *Sesay* AJ, para. 414.
- 4028 *Krajišnik* AJ, para. 226; *Popović* AJ, para. 1414; *Sesay* AJ, para. 414.
- 4029 *Martić* AJ, paras 169, 195; *Stakić* AJ, paras 79-85; *Sesay* AJ, para. 414.
- 4030 *Martić* AJ, paras 195, 205; *Sesay* AJ, para. 414.
- 4031 *Šainović* AJ, para. 1368; *Kvočka* AJ, para. 144.
- 4032 *Sesay* AJ, paras 414, 907.
- 4033 *Brđanin* AJ, paras 415, 418.
- 4034 Case 002-**F36** Case 002/01 AJ, para. 809.
- 4035 *Karadžić* Rule 98bis AJ, para. 79; *Krajišnik* AJ, para. 226. See also *Brđanin* AJ, para. 410. See further Sangkul Kim, *A Collective Theory of Genocidal Intent*, p. 221 [“low-level actors do not occupy a role that would allow them to destroy the group, and therefore they cannot truly form that intention. [...] The question of whether physical perpetrators at the lower echelon of genocidal enterprise possess genocidal intent is no longer relevant to the attribution of principal liability of genocide”].
- 4036 *Karadžić* Rule 98bis AJ, para. 79.
- 4037 Case 002-**F36** Case 002/01 AJ, para. 1042.
- 4038 Case 002-**F36** Case 002/01 AJ, para. 1042.
- 4039 Intent for JCE 1, 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 *Lukić & 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.
- 4040 Case 002-**F36** Case 002/01 AJ, para. 1082.
- 4041 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.
- 4042 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.
- 4043 *Popović* AJ, fn. 2971; *Krnojelac* AJ, para. 100.
- 4044 *Šainović* AJ, para. 1491; *Kvočka* AJ, para. 276; *Sesay* AJ, para. 906.
- 4045 *Popović* AJ, para. 1369; *Dorđević* AJ, para. 512; *Krajišnik* AJ, paras 202, 697.
- 4046 Case 002-**E313** Case 002/01 TJ, para. 694; *Kvočka* AJ, paras 97, 188.
- 4047 Case 002-**E313** Case 002/01 TJ, para. 698; Case 001-**E188** *Duch* TJ, para. 518; *Taylor* AJ, paras 368, 494; *Kordić & Čerkez* AJ, para. 26; *Milošević (Dragomir)* AJ, para. 268; *Nahimana* AJ, para. 479.
- 4048 *Taylor* AJ, para. 494; *Boškoski & Tarčulovski* AJ, para. 154.
- 4049 *Boškoski & Tarčulovski* AJ, fn. 418; *Taylor* AJ, para. 494.
- 4050 *Bagilishema* TJ, para. 30; *Semanza* TJ, para. 380.
- 4051 *Nahimana* AJ, paras 958-959; *Brima* AJ, para. 301; *Blaškić* TJ, para. 279.
- 4052 *Kanyarukiga* AJ, para. 258.
- 4053 Case 001-**E188** *Duch* TJ, para. 518; Case 002-**E313** Case 002/01 TJ, para. 698; *Kordić & Čerkez* AJ, para. 26; *Nahimana* AJ, paras 479, 492, fn. 2116; *Sesay* AJ, paras 687, 1170.
- 4054 *Sesay* AJ, para. 769; *Taylor* AJ, para. 494.

4055 *Boškoski & Tarčulovski* AJ, para. 172; *Taylor* AJ, paras 493-494.
 4056 *Taylor* AJ, para. 493; *Boškoski & Tarčulovski* AJ, para. 171.
 4057 Case 001-E188 *Duch* TJ, para. 519; Case 002-E313 Case 002/01 TJ, para. 698; *Kordić & Čerkez* AJ, paras 29, 31, 112; *Boškoski & Tarčulovski* AJ, paras 68, 174; *Milošević (Dragomir)* AJ, para. 268; *Nahimana* AJ, para. 479; *Taylor* AJ, para. 494.
 4058 *Galić* TJ, para. 172; *Čelebići* TJ, para. 328.
 4059 *Boškoski & Tarčulovski* AJ, para. 67.
 4060 Case 001-E188 *Duch* TJ, para. 522; Case 002-E313 Case 002/01 TJ, para. 700; *Kordić & Čerkez* AJ, paras 27, 32; *Taylor* AJ, paras 368, 589; *Nzabonimana* AJ, para. 146.
 4061 *Seromba* TJ, para. 304; *Mpambara* TJ, para. 18.
 4062 *Akayesu* AJ, paras 478-483.
 4063 *Nahimana* AJ, para. 595; *Taylor* AJ, para. 589 upholding *Taylor* TJ, para. 472; *Brđanin* TJ, para. 269.
 4064 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; *Brđanin* TJ, para. 269.
 4065 *Semanza* AJ, para. 296.
 4066 Case 001-E188 *Duch* TJ, para. 522; *Mpambara* TJ, para. 18; *Galić* TJ, para. 168.
 4067 *Karera* AJ, para. 318; *Boškoski & Tarčulovski* AJ, para. 75.
 4068 Case 001-E188 *Duch* TJ, para. 522; Case 002-E313 Case 002/01 TJ, para. 700; *Kordić & Čerkez* AJ, para. 27; *Karera* AJ, para. 317; *Taylor* AJ, para. 589.
 4069 *Kordić & Čerkez* AJ, para. 27; *Nyiramasuhuko* AJ, para. 3327; *Nahimana* AJ, paras 480, 502, 660.
 4070 *Boškoski & Tarčulovski* AJ, para. 172; *Taylor* AJ, para. 493.
 4071 Case 001-E188 *Duch* TJ, para. 524; Case 002-E313 Case 002/01 TJ, para. 700; *Kordić & Čerkez* AJ, paras 29, 32; *Boškoski & Tarčulovski* AJ, paras 68, 174; *Nahimana* AJ, para. 480; *Taylor* AJ, para. 589.
 4072 *Boškoski & Tarčulovski* AJ, para. 67.
 4073 Case 001-E188 *Duch* TJ, paras 527-528; Case 002-E313 Case 002/01 TJ, para. 702; *Kordić & Čerkez* AJ, paras 28, 32; *Milošević (Dragomir)* AJ, para. 267; *Nahimana* AJ, para. 481; *Renzaho* AJ, para. 315; *Taylor* AJ, para. 589.
 4074 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702 and citations therein; *Kordić & Čerkez* AJ, para. 28; *Galić* AJ, para. 176; *Renzaho* AJ, para. 315; *Sesay* AJ, para. 164.
 4075 *Seromba* AJ, para. 202; *Kamuhanda* AJ, para. 75.
 4076 Case 001-E188 *Duch* TJ, para. 527; *Boškoski & Tarčulovski* 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”].
 4077 *Semanza* AJ, para. 363; *Setako* AJ, para. 240.
 4078 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702; *Boškoski & Tarčulovski* AJ, para. 160; *Kamuhanda* AJ, para. 76.
 4079 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.
 4080 *Galić* TJ, paras 171, 741; *Milošević (Dragomir)* AJ, paras 272-273.
 4081 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.
 4082 Case 001-E188 *Duch* TJ, para. 527; Case 002-E313 Case 002/01 TJ, para. 702; *Boškoski & Tarčulovski* AJ, para. 160; *Hategekimana* AJ, para. 67; *Taylor* AJ, paras 368, 589.
 4083 *Taylor* AJ, para. 589, upholding *Taylor* TJ, para. 477; *Milutinović* TJ (Vol 1), para. 88.
 4084 *Kordić & Čerkez* 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.
 4085 *Milošević (Dragomir)* AJ, para. 267.
 4086 *Boškoski & Tarčulovski* AJ, para. 172; *Taylor* AJ, para. 493.
 4087 Case 001-E188 *Duch* TJ, para. 528; Case 002-E313 Case 002/01 TJ, para. 702; *Kordić & Čerkez* AJ, paras 29-30; *Martić* AJ, paras 221-222; *Boškoski & Tarčulovski* AJ, para. 68; *Renzaho* AJ, para. 315; *Taylor* AJ, para. 589.
 4088 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).

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

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.

Case 001-**E188** *Duch* TJ, para. 534; *Krstić* AJ, para. 143; *Brđanin* AJ, para. 355.

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.

Tadić AJ, para. 229(ii); *Kalimanzira* AJ, para. 87; *Brđanin* AJ, para. 263.

See, e.g., *Tadić* AJ, para. 229(iii); *Gotovina & Markač* AJ, para. 127; *Ntawukulilyayo* AJ, para. 214; *Taylor* AJ, para. 481.

Popović AJ, paras 1740, 1783; *Ndahimana* AJ, para. 149; *Taylor* AJ, para. 522.

Lukić & Lukić AJ, para. 438; *Kalimanzira* AJ, para. 86; *Taylor* AJ, para. 475.

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 & Jokić* TJ, para. 731; *Furundžija* TJ, para. 230; *Aleksovski* TJ, para. 62; *Brđanin* AJ, para. 277.

Mrkšić & Šljivančanin AJ, para. 81; *Ntagerura* AJ, para. 372; *Fofana & Kondewa* AJ, para. 72.

Šainović AJ, para. 1687; *Brđanin* AJ, paras 273, 277 [referring to the ‘silent spectator’]; *Ndahimana* AJ, para. 147; *Kayishema & Ruzindana* AJ, paras 201-202 [referring to the ‘approving spectator’]; *Sesay* AJ, para. 541.

Ibid. See also, e.g., *Muvunyi I* AJ, para. 80.

Blagojević & Jokić AJ, para. 195; *Nahimana* AJ, para. 672; *Sesay* AJ, para. 541.

Popović AJ, para. 1812; *Mrkšić & Šljivančanin* AJ, paras 49, 146; *Nahimana* AJ, para. 482.

Šainović AJ, para. 1677; *Nyiramasuhuko* AJ, para. 2205.

Popović AJ, para. 1741; *Šainović* AJ, paras 1679, 1682, fn. 5510; *Mrkšić & Šljivančanin* AJ, paras 97, 100.

Krstić AJ, para. 140; *Seromba* AJ, paras 57-58.

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.

Blaškić AJ, para. 50; *Šainović* AJ, para. 1772; *Nahimana* AJ, para. 482; *Sesay* AJ, para. 546.

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.

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 & Jokić* AJ, para. 127; *Ndahimana* AJ, para. 157; *Fofana & Kondewa* AJ, para. 367; *Vasiljević* AJ, para. 142; *Krstić* AJ, para. 140; *Ntakirutimana* AJ, paras 500-501.

Case 001-**E188** *Duch* TJ, para. 535; *Milutinović* TJ (Vol I), para. 94.

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; **D145/3** Decision on the Application of Command Responsibility Outside International Armed Conflict, 1 Aug 2016, paras 30-31; Case 002-**D427** Closing Order, paras 1307, 1318-1319, 1558.

D145/3 ICIJ Command Responsibility Decision, para. 33; *Hadžihasanović* Command Responsibility Decision, paras 10-31. The Co-Prosecutor adopts the position he set out in his filing on this issue, **D145/1** International Co-Prosecutor’s Response to Meas Muth’s Motion Against the Application of Command Responsibility to Crimes that are not Connected to an International Armed Conflict, 3 Aug 2015.

D145/3 ICIJ Command Responsibility Decision, paras 32-33; Case 002-**D427/2/15** Nuon Chea and Ieng Thirith Closing Order Decision, paras 231-232; Case 002-**E313** Case 002/01 TJ, paras 898, 917, 939.

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

- 4115 ECCC Law, art. 29new; 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 & Markač* AJ, para. 128; *Gacumbitsi* AJ, para. 143; *Sesay* AJ, paras 842, 873.
- 4116 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.
- 4117 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.
- 4118 ECCC Law, art. 29new; 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 & Kondewa* AJ, para. 175.
- 4119 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.
- 4120 Case 002-E313 Case 002/01 TJ, para. 720; *Aleksovski* AJ, para. 76; *Bagilishema* AJ, para. 50; *Brima* AJ, para. 257.
- 4121 *Čelebići* AJ, paras 197-198; *Bagilishema* AJ, paras 50, 52, 55; *Kajelijeli* AJ, para. 87; *Nahimana* AJ, paras 605, 785.
- 4122 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.
- 4123 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 & Kubura* AJ, paras 20-21; *Nahimana* AJ, para. 625; *Ntabakuze* AJ, para. 169.
- 4124 Case 001-E188 *Duch* TJ, para. 541; *Halilović* AJ, para. 66.
- 4125 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 & Nsengiyumva* AJ, para. 472.
- 4126 Case 001-E188 *Duch* TJ, para. 541; *Strugar* AJ, paras 260-262.
- 4127 Case 001-E188 *Duch* TJ, para. 541; *Čelebići* AJ, para. 206.
- 4128 *Popović* AJ, para. 1857.
- 4129 Case 001-E188 *Duch* TJ, para. 543; *Bagilishema* AJ, para. 37; *Kordić & Čerkez* TJ, para. 427; *Taylor* TJ, para. 497.
- 4130 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.
- 4131 Case 002-E313 Case 002/01 TJ, para. 715; Case 001-E188 *Duch* TJ, para. 544; *Popović* AJ, para. 1910; *Strugar* AJ, para. 298.
- 4132 *Strugar* AJ, para. 304.
- 4133 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.
- 4134 Case 001-E188 *Duch* TJ, para. 544; *Čelebići* AJ, para. 226; *Blaškić* AJ, para. 406; *Taylor* TJ, para. 499. (*Emphasis added.*)
- 4135 Case 001-E188 *Duch* TJ, para. 544; *Čelebići* AJ, para. 238; *Bagilishema* AJ, para. 42; *Nahimana* AJ, para. 791.
- 4136 *Čelebići* AJ, para. 239.
- 4137 *Blaškić* AJ, paras 56-57.
- 4138 *Nahimana* AJ, para. 865; *Bagosora & Nsengiyumva* AJ, paras 384, 399.
- 4139 ECCC Law, art. 29new; Case 001-E188 *Duch* TJ, paras 545-547; Case 002-E313 Case 002/01 TJ, para. 716; *Boškoski & Tarčulovski* AJ, para. 230; *Popović* AJ, para. 1943; *Nahimana* AJ, para. 484; *Sesay* AJ, paras 502, 842.
- 4140 Case 002-E313 Case 002/01 TJ, para. 720.
- 4141 *Blaškić* AJ, para. 77; *Hadžihasanović & Kubura* AJ, paras 38-40.
- 4142 *Bizimungu (Augustin)* AJ, para. 104; *Bagosora & Nsengiyumva* AJ, para. 685.

- 4143 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 & Kubura* AJ, para. 33; *Kayishema & Ruzindana* AJ, para. 302; *Bagosora & Nsengiyumva* AJ, paras 672, 683.
- 4144 *Boškoski & Tarčulovski* AJ, para. 231; *Popović* AJ, para. 1928; *Bagosora & Nsengiyumva* AJ, para. 672.
- 4145 *Bagosora & Nsengiyumva* AJ, para. 672.
- 4146 *Halilović* AJ, para. 182; *Boškoski & Tarčulovski* AJ, paras 230, 234-235; *Hadžihasanović & Kubura* AJ, para. 154; *Popović* AJ, para. 1932; *Bagosora & Nsengiyumva* AJ, para. 510.
- 4147 Extraordinary Chambers in the Courts of Cambodia, Internal Rules (Rev. 9), as revised on 16 Jan 2015, Rule 67(3)(c).
- 4148 2008 Code of Criminal Procedure of the Kingdom of Cambodia, art. 247(3).
- 4149 Case 002-D427 Closing Order, para. 1321.
- 4150 Case 001-D99 Closing Order, para. 130.
- 4151 Case 002-D427 Closing Order, para. 1321.
- 4152 Case 002-D427 Closing Order, para. 1323.
- 4153 Case 002-D427 Closing Order, para. 1323.
- 4154 Rule 87(1).
- 4155 Case 002-D427 Closing Order, para. 1321.
- 4156 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”].
- 4157 Case 002-D427 Closing Order, para. 1322.
- 4158 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”].
- 4159 *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.
- 4160 *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.
- 4161 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”].
- 4162 *Ntakirutimana* Preliminary Motion Decision, para. 6.
- 4163 Updated Statute of the International Criminal Tribunal of the former Yugoslavia, updated in Sep 2009, art. 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”]; ICTR Statute, art. 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”].
- 4164 *Rajić* Indictment Review, p. 6; *Milošević et al.* Indictment and Application Review Decision, para. 4.
- 4165 ECCC Agreement, arts 1, 2; ECCC Law, arts 1, 2^{new}.

- 4166 Case 001-**F28** *Duch* AJ, paras 46-57.
 4167 Case 001-**F28** *Duch* AJ, paras 52, 61.
 4168 Case 001-**F28** *Duch* AJ, para. 57 (internal citations omitted).
 4169 **D181** ICIJ Personal Jurisdiction Decision, para. 27.
 4170 United Nations Security Council Resolution 1534 (2004), 26 Mar 2004, UN Doc. No. S/Res/1534, paras 5-6; United Nations Security Council Resolution 1503, 28 Aug 2003, UN Doc. No. S/Res/1503, preamble recital 7.
 4171 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 1-3.
 4172 *Lukić & Lukić* Referral Decision, paras 26-28.
 4173 *Fofana* Personal Jurisdiction Decision, para. 22.
 4174 ICC OTP, *Paper on some Policy Issues before the Office of the Prosecutor*, International Criminal Court, Sep 2003, p. 7.
 4175 Case 001-**E188** *Duch* TJ, paras 22-24.
 4176 Case 001-**F28** *Duch* AJ, para. 71.
 4177 **D48** Personal Jurisdiction Decision I, para. 15; **D49** Personal Jurisdiction Decision II, para. 15.
 4178 Case 001-**F28** *Duch* AJ, para. 62.
 4179 *Ademi* Referral Decision, para. 28.
 4180 *Janković* Referral Decision, para. 19; *Ademi* Referral Decision, para. 28; *Kovačević* Referral Decision, para. 20; *Lukić & 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.
 4181 *Lukić & Lukić* Referral Decision, para. 27.
 4182 *Lukić & Lukić* Referral Decision, para. 27.
 4183 *Janković* Referral Decision, para. 19; *Kovačević* Referral Decision paras 12, 20; *Lukić & Lukić* Referral Decision, paras 27 and 29; *Rašević & Todović* Referral Decision, para. 23; *Todović* Referral Appeal Decision, para. 25.
 4184 *See Ntaganda* Article 58 Appeal Decision, para. 76.
 4185 *Ademi* Referral Decision, para. 29; *Lukić & Lukić* Referral Decision, para. 28; *Lukić* Appeal Decision, para. 21.
 4186 *Ademi* Referral Decision, para. 29; *Kovačević* Referral Decision, para. 20; *Milošević (Dragomir)* Referral Decision, para. 23; *Lukić & Lukić* Referral Decision, para. 28; *Lukić* Appeal Decision, para. 21.
 4187 *Milošević (Dragomir)* Referral Decision, para. 23; *Lukić* Appeal Decision, para. 21.
 4188 *Lukić & Lukić* Referral Decision, para. 28; *Ademi* Referral Decision, para. 29.
 4189 *Ademi* Referral Decision, para. 29.
 4190 *Milošević (Dragomir)* Referral Decision, para. 23.
 4191 *Milošević (Dragomir)* Referral Decision, para. 23.
 4192 *Kovačević* Referral Decision, para. 20.
 4193 Case 001-**F28** *Duch* AJ, paras 76-77 *citing* The First Session of the Third Term of the Cambodian National Assembly, 4-5 Oct 2004, p. 23; Case 002-**E188** *Duch* TJ, para. 19 *citing* Group of Experts Report at para. 109.
 4194 *Milošević (Dragomir)* Referral Decision, para. 22; *Lukić & Lukić* Referral Decision, para. 28.
 4195 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 Mar 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 Nov 2010.
 4196 Case 002-**D427/1/30** Ieng Sary Closing Order Decision, paras 271-292, 297.
 4197 1956 Penal Code, arts 501, 503-508.
 4198 1956 Penal Code, art. 500.

- 1956 Penal Code, arts 209, 210.
- 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 001-E187 Decision on the Defence Preliminary Objection Concerning the Statute of Limitations of Domestic Crimes, 26 Jul 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).
- 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 Sep 1993).
- Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 286, *quoting* Case 001-E187 TC Statute of Limitations Decision, para. 20.
- ECCC Law, art. 3.
- ECCC Law, art. 3*new*.
- Case 002-D427/1/30 Ieng Sary Closing Order Decision, para. 287.
- Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 288-292.
- Case 002-D427/1/30 Ieng Sary Closing Order Decision, paras 279-280.
- 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.
- 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 Aug 2017.
- Case 002-D198/1 Order Concerning the Co-Prosecutors’ Request for Clarification of Charges, 20 Nov 2009, para. 6.
- Case 002-D198/1 Order Concerning the Co-Prosecutors’ Request for Clarification of Charges, 20 Nov 2009, para. 10.
- D174** Written Record of Initial Appearance, p. 11.
- See, e.g.*, Case 004/2-D121/4/1/4 Considerations of the Pre-Trial Chamber on [Redacted] Appeal against the Decision Denying his Requests to Access the Case File and Take Part in the Judicial Investigation, 15 Jan 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 Feb 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 Dec 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 Feb 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”].
- See VII. CPK Policies Relevant to the Case Against Meas Muth.*
- See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.*
- See, e.g., VII. CPK Policies Relevant to the Case Against Meas Muth – Agrarian, Economic, and Social Policies – 1. Establishment of Cooperatives and Worksites; VIII.E. Stung Hav Worksites [see particularly Authority Structure; Enslavement; Persecution on Political Grounds; Murder and Enforced Disappearances; and Other Inhumane Acts]; VIII.F. Ream Area Worksites [see particularly Enslavement; Persecution on Political Grounds; Murder, Extermination, and Enforced Disappearances; and Other Inhumane Acts a) Inhumane Treatment].*
- See D191/18* Notification on the Interpretation of ‘Attack Against the Civilian Population’ in the Context of Crimes Against Humanity with Regard to a State’s or Regime’s Own Armed Forces, 7 Feb 2017, para. 69.

- 4218 *See VII. CPK Policies Relevant to the Case Against Meas Muth.*
- 4219 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Agrarian, Economic, and Social Policies – 1. Establishment of Cooperatives and Worksites; VIII.E. Stung Hav Worksites – 3. Crimes – Enslavement; VIII.F. Ream Area Worksites – 3. Crimes – Enslavement.*
- 4220 **D4.1.629** DC-Cam DK Prison List, 18 Feb 2008.
- 4221 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership. See also VIII.C. Division 164 Security Centres; VIII.D. S-21 Security Centre.*
- 4222 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Agrarian, Economic, and Social Policies – 1. Establishment of Cooperatives and Worksites, particularly para. 321; V.2. Internal Communications Within Division 164.*
- 4223 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Agrarian, Economic, and Social Policies – 1. Establishment of Cooperatives and Worksites; VIII.C. Division 164 Security Centres; VIII.D. S-21 Security Centre; VIII.E. Stung Hav Worksites; and VIII.F. Ream Area Worksites.*
- 4224 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.*
- 4225 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.*
- 4226 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Agrarian, Economic, and Social Policies – 1. Establishment of Cooperatives and Worksites.*
- 4227 *See VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership; VIII.G. Genocide of the Vietnamese.*
- 4228 *See III. Meas Muth’s Role and Responsibility section and XIII.B.1. Committing via Joint Criminal Enterprise.*
- 4229 *See the VI. International Armed Conflict section of this Submission.*
- 4230 *See paras 308-310.*
- 4231 *See paras 311-312.*
- 4232 *See fn. 1044 and paras 313-314.*
- 4233 *See para. 314.*
- 4234 *See VI. International Armed Conflict; IV. Division 164 (Former Division 3) Authority Structure - Division 164 (July 1975-January 1979); IV. Division 164 (Former Division 3) Authority Structure - Composition and Role of Regiments 161, 162, 163 and of the Navy (Regiment 140); V.2. Internal Communication Within Division 164; VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea; para. 209 above [describing the reporting hierarchy within the military and stating that reporting, including about battlefield news, was the “absolute” most important duty].*
- 4235 *For details regarding the crimes committed, see VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea; VIII.D. S-21 Security Centre.*
- 4236 *For details regarding the crimes committed, see VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea; VIII.D. S-21 Security Centre; VIII.G. Genocide of the Vietnamese.*
- 4237 *See also IX.A.3. Grave Breaches of the Geneva Conventions – General Requirements – Protected Persons.*
- 4238 *See VI. International Armed Conflict; VIII.B. Crimes Committed Against those Captured by the DK Navy in Waters and on Islands Claimed by Democratic Kampuchea; VIII.D. S-21 Security Centre.*
- 4239 *See VIII.D. S-21 Security Centre.*
- 4240 *See section III.2. Meas Muth’s DK Role. See also VII. CPK Policies Relevant to the Case Against Meas Muth – Elimination of Enemies and Opposition to CPK Leadership.*
- 4241 *See section III.3. Meas Muth’s Contributions to Crimes. See also III.2. Meas Muth’s DK Role – Effective Control.*
- 4242 *See Case 001-F28 Duch AJ.*
- 4243 **D4.1.766** Kaing Guek Eav alias Duch WRI, EN 00398210 [“The first document (ERN 00174375) was annotated by Son Sen and addressed to PoL Pot. I am not the author of these notes (I could not use the term ‘comrade Mut’ given his rank and age, he was senior to me)”].
- 4244 **D1.3.30.9** DK Report from RAK General Staff, 7 Apr 1977, EN 00183956.

- 4245 See Agreement Between the United Nations and the Royal Government of Cambodia Concerning the
Prosecution Under Cambodian Law of Crimes Committed During the Period of Democratic Kampuchea,
para. 2.
- 4246 Case 002-F36 Case 002/01 AJ.
- 4247 The Cambodia Daily, *Activist Names 3 Suspects in Case 004*, 6 May 2001.
- 4248 Chicago Tribune, *Ex-Khmer Rouge General Guilty in Abduction, Killings of 3 Backpackers*, 24 Dec 2002;
Phnom Penh Post, *Double Murder Earns General Life Sentence*, 25 Jul 2015, at
<http://www.phnompenhpost.com/post-weekend/double-murder-earns-general-life-sentence>; The Cambodia
Daily, *Verdicts Delivered in General's Murder Case*, 15 Jun 2015, at
<https://www.cambodiadaily.com/archives/first-verdicts-delivered-in-generals-murder-case-85609/>; See also
Phnom Penh Post, *Heng Pov Convictions Upheld Again*, 28 Sep 2017, at
<http://www.phnompenhpost.com/national/heng-pov-convictions-upheld-again>.
- 4249 See sections **III.2. Meas Muth's DK Role**; **IV. Division 164 (Former Division 3) Authority Structure**;
III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of Enemies;
III.3. Meas Muth's Contributions to Crimes – Participation in Enslavement at Worksites; **III.3. Meas
Muth's Contributions to Crimes – Participation in Forced Marriages & Rape**; **VII. CPK Policies
Relevant to the Case Against Meas Muth – Agrarian, Economic, and Social Policies - Forced Marriage
and Rape**.
- 4250 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies**.
- 4251 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – RAK – b) Division 164**.
- 4252 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – RAK – c) Division 117 & Sector 505**.
- 4253 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – Vietnamese**.
- 4254 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – Thai and Westerners**.
- 4255 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – Division 164 Security Centres – a) Wat Enta Nhien Security Centre**.
- 4256 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – Division 164 Security Centres – b) Toek Sap Security Centre**.
- 4257 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies – S-21 Security Centre**.
- 4258 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Persecution and Execution of
Enemies**.
- 4259 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Enslavement at Worksites**.
- 4260 See section **Meas Muth's Contributions to Crimes – Participation in Enslavement at Worksites – Ream
Worksites**.
- 4261 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Enslavement at Worksites –
Stung Hav Worksites**.
- 4262 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Enslavement at Worksites**.
- 4263 See section **III.3. Meas Muth's Contributions to Crimes – Participation in Enslavement at Worksites**.
- 4264 See sections **III.2. Meas Muth's DK Role** and **III.3. Meas Muth's Contributions to Crimes**.
- 4265 See section **III.2. Meas Muth's DK Role – Effective Control**.
- 4266 See section **III.3. Meas Muth's Contributions to Crimes**.